

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

+ + + + +

ZONING COMMISSION

+ + + + +

PUBLIC HEARING

-----+  
IN THE MATTER OF: |

PLANNED UNITED DEVELOPMENT AND MAP |

AMENDMENT OF BRYAN SCHOOL AT 1325 |

INDEPENDENCE AVENUE, S.E. |

Case No.

00-34C

-----+  
Thursday

June 21, 2001

Hearing Room 220 South

441 4th Street, N.W.

Washington, D.C.

The Public Hearing of Case No. 00-34C by the  
District of Columbia Zoning Commission convened at 7:00 p.m. in  
the Office of Zoning Hearing Room at 441 4th Street, Northwest,  
Washington, D.C., Carol J. Mitten, Chairperson, presiding.

ZONING COMMISSION MEMBERS PRESENT:

CAROL J. MITTEN

Chairperson

ANTHONY J. HOOD

Vice Chairperson

JAMES HANNAHAM

Commissioner

PETER G. MAY

Commissioner

JOHN G. PARSONS

Commissioner

COMMISSION STAFF PRESENT:

Alberto P. Bastida, Secretary, ZC

Gerald Forsburg, Office of Zoning

## OTHER AGENCY STAFF PRESENT:

Andrew Altman, Director, Office of Planning  
Maxine Brown-Roberts, Office of Planning

## D.C. OFFICE OF CORPORATION COUNSEL:

Alan Bergstein, Esq.  
Corey Buffo, Esq.

## COUNSEL FOR EAKIN YOUNGENTOB:

Phil Feola, Esq.  
Shaw, Pittman, Potts & Trowbridge

## I-N-D-E-X

Preliminary Matters.....	6
Request for Party Status	
Caroline Bader .....	6
Request for Party Status	
Bryan School Neighborhood Association .....	8
Persons in Support of the Planned Unit	
Development and Map Amendment	
Council Member Sharon Ambrose .....	9
Toby Millman, Eakin Youngentob .....	14
Jack McLaurin, Lasard Architectural Group .....	21
Tom Johnson, Martinez & Johnson .....	27
Marty Wells, Wells & Associates .....	36
Joseph Plumpe, Studio 39 .....	40
Commission Questions.....	48
Other Witnesses:	
Gottlieb Simon, ANC-6B .....	86
Bill Vandentorn, BSNA .....	90
Tom Hardy .....	96
Sheila McMillan, Friends of Lincoln Park .....	98
Charles McMillion, Capitol Hill	
Restoration Society .....	99
Jim Myers .....	101
Caroline Bader .....	103

P-R-O-C-E-E-D-I-N-G-S

(7:00 p.m.)

CHAIRPERSON MITTEN: Good evening ladies and gentlemen. This is a Public Hearing of the Zoning Commission of the District of Columbia, for Monday, June 21, 2001. My name is Carol Mitten. Joining me this evening are: Vice Chairman, Anthony Hood, Commissioners John Parsons, Peter May, and James Hannaham, and I'd like to welcome Mr. Hannaham to the Zoning Commission. This is his first hearing with us, and we look forward to many more.

COMMISSIONER HANNAHAM: Thank you very much.

CHAIRPERSON MITTEN: Notice of today's hearing was published in the DC Register on May 4, 2001 and in the Washington Times on April 27, 2001. This hearing will be conducted in accordance with the provisions of 11 DCMR ? 3022.

The subject of this evening's hearing is Zoning Commission Case #00-34C, the Bryan School rezoning and PUD. The application is for a consolidated PUD and Map Amendment from R-4 to R-5-B for the property located at 1325 Independence Avenue, S.E.

Copies of today's Hearing Agenda are available to you and are located to my left near the door.

The order of procedure will be as follows: Preliminary Matters, Applicant's Case, Report of the Office of Planning, Reports of other agencies, Report of the Advisory Neighborhood Commission 6-B, Parties and Persons in Support,

1 Parties and Persons in Opposition, Rebuttal and Closing Remarks  
2 by the Applicant.

3 All persons appearing before the Commission are  
4 to fill out two witness cards. These cards are located at each  
5 end of the table in front of us. Upon coming forward to speak  
6 to the Commission, please give both cards to the reporter  
7 sitting to my right.

8 The decision of the Commission in this case must  
9 be based exclusively on the public record. To avoid any  
10 appearance to the contrary, the Commission requests that person  
11 present not engage the members of the Commission in  
12 conversation during any recess or at any time.

13 The staff will be available throughout the  
14 hearing to discuss procedural questions. Please turn off all  
15 beepers and cell phones at this time so as not to disrupt these  
16 proceedings.

17 At this time, the Commission will consider any  
18 Preliminary Matters. Does the staff have any preliminary  
19 matters?

20 SECRETARY BASTIDA: Yes, Madam Chairman. The  
21 staff has a Preliminary Matter regarding the posting of the  
22 facility. The applicant has met with all EPA requirements of  
23 posting, and has complied with the zoning regulations  
24 requirements for posting but for the posting of the property  
25 that was only done 17 days prior to this hearing, which is a  
26 shortcoming of 23 days.

1                   But the applicant has been meeting with the  
2                   community since June 11, 1998, and has had approximately thirty  
3                   meetings with them, so I believe the community is well aware of  
4                   this application, and accordingly, the staff recommends that  
5                   you waive the 23 days.

6                   CHAIRPERSON MITTEN: Can we do that by consensus  
7                   or do we have to take a vote?

8                   SECRETARY BASTIDA: You can do it by consensus.

9                   CHAIRPERSON MITTEN: Are there any objections to  
10                  waiving the posting.

11                  VICE CHAIRPERSON HOOD: No objection.

12                  CHAIRPERSON MITTEN: Very good. We have two  
13                  requests for party status in this case. The first one is from  
14                  Caroline Bader who lives across the street from the Bryan  
15                  School.

16                  The request was timely filed, but the request  
17                  does not speak to the unique nature of the relationship between  
18                  this property owner's situation and the subject of this case,  
19                  and I think they've adequately addressed how they will be  
20                  affected, but not how they will uniquely be affected.

21                  I think they are as affected as many other  
22                  neighbors would be, and I would suggest that Ms. Bader does not  
23                  meet the test for party status.

24                  COMMISSIONER PARSONS: Agreed.

25                  CHAIRPERSON MITTEN: Can I get a motion to deny  
26                  party status to Caroline Bader?

1 COMMISSIONER PARSONS: So moved.

2 CHAIRPERSON MITTEN: Is there a second? Second.

3 It's been moved and seconded to deny party status to Caroline  
4 Bader. All those in favor, please say aye.

5 (Chorus of ayes.)

6 CHAIRPERSON MITTEN: Opposed, say no.

7 (Silence.)

8 CHAIRPERSON MITTEN: Mr. Bastida, would you record  
9 that vote?

10 VICE CHAIRPERSON HOOD: Madam Chair, I'm going to  
11 abstain.

12 SECRETARY BASTIDA: The staff will record the vote  
13 4-0 with Mr. Hood abstaining. Mr. Parsons moving and Ms.  
14 Mitten seconded. Mr. May and Mr. Hannaham voting on the  
15 affirmative.

16 CHAIRPERSON MITTEN: And I would just advise Ms.  
17 Bader that the opportunity will present itself where she can  
18 testify as a person in opposition, as can each of her  
19 witnesses.

20 Then we also have a request for party status from  
21 the Bryan School Neighborhood Association. That request was  
22 timely filed. The Bryan School Neighborhood Association  
23 represents approximately 600 to 700 neighbors in the vicinity  
24 of Bryan School, and I would suggest that Bryan School  
25 Neighborhood Association meets the test for party status.

26 COMMISSIONER PARSONS: Agreed.

1 VICE CHAIRPERSON HOOD: Is that a motion? Second.

2 CHAIRPERSON MITTEN: We have a motion and a second  
3 to grant party status to the Bryan School Neighborhood  
4 Association. All those in favor, please say aye.

5 (Chorus of ayes.)

6 CHAIRPERSON MITTEN: Those opposed, please say no.

7 (Silence.)

8 CHAIRPERSON MITTEN: Mr. Bastida.

9 SECRETARY BASTIDA: Yes, the staff will record the  
10 vote 5-0, Ms. Mitten moving, Mr. Hood seconding, Mr. May, Mr.  
11 Parsons and Mr. Hannaham voting on the affirmative.

12 CHAIRPERSON MITTEN: We also need to waive our  
13 rules to accept the Office of Planning report and the DPW  
14 report, which were filed after the deadline. Can we do that by  
15 consensus? Are there any objections?

16 VICE CHAIRPERSON HOOD: No objection.

17 CHAIRPERSON MITTEN: Very well. Will all those  
18 persons planning to testify this evening, please rise and take  
19 the oath. Mr. Bastida, would you administer the oath.

20 SECRETARY BASTIDA: Yes, Madam Chairman.

21 (Witnesses sworn.)

22 CHAIRPERSON MITTEN: I'd like to welcome Council  
23 Member Ambrose to our hearing this evening, and like to know if  
24 you would be interested in going first, or would you rather  
25 hear the applicant's case?

26 COUNCIL MEMBER AMBROSE: I've heard the



1 applicant's case. Madam Chair, I'd love to go first.

2 CHAIRPERSON MITTEN: Terrific. Please come  
3 forward.

4 COUNCIL MEMBER AMBROSE: Thank you very much,  
5 Madam Chair, for allowing me to come forward this evening. I  
6 have filed a letter in support of this application. I said I  
7 have heard the applicant's case. I have heard the applicant's  
8 case many, many times, as have the other people in this  
9 community.

10 The Bryan Neighborhood Community has, in fact,  
11 been soliciting developers for this property since about 1997.

12 The old school closed. The new building had some DHS  
13 facilities in it.

14 The whole property was a terrible mess. It was  
15 something that was, not only contributing to the community, but  
16 it was actually tearing the community down. It was also, I  
17 have to say, something that was costing the City a whole lot of  
18 money.

19 I toured the old school one day, shortly after I  
20 was elected in 1997, and we literally had to duck pigeons  
21 flying out of their nesting places in lockers on the top floor.

22 At the same time, you could see out of these fabulous windows  
23 on the top floor, what kinds of spaces these might be for  
24 apartments.

25 The building was so hot that I literally could  
26 hardly breathe in it and that was because they were using old

1       boilers in that old building to heat both the old building and  
2       the new building, that was a 1970's construction, in which DHS  
3       employees were working in heavy jackets and heavy sweaters  
4       because they were still freezing. So, in order to get any heat  
5       at all into the new building, they were jacking the heat up to  
6       God knows what, probably 120 degrees in the old building. It  
7       was a terrible waste of resources in every possible respect.

8               When the citizens decided that they needed  
9       something positive in their community, the citizens themselves  
10       began to solicit development proposals for this site. And the  
11       developers, Eakin Youngentob were among the developers that  
12       presented a proposal, in response quite literally to citizen  
13       solicitation. And it was the proposal that was most appealing  
14       to the citizens.

15              And, since that time as Eakin Youngentob has  
16       flushed out the proposal for this quite sizeable piece of  
17       property. The firm has worked wonderfully with the community.

18       I think the firm has, as my letter says, really been  
19       responsive, particularly in the area of density.

20              And most importantly, I find and I think you will  
21       find, that we may be establishing something of a precedent in  
22       this PUD Application for a Residential Project, and that is  
23       this: that the developers have agreed with the community to an  
24       off-site amenity in respect to this project. Now, that is  
25       unusual as you know, because quite frankly the project itself  
26       is an enormous amenity in this community.

1                   But, in listening to the community, a community  
2                   that is in transition, Bryan School is right on the edge of a  
3                   transition area in this community, and the feeling of the  
4                   community was that they wanted the community to the east of the  
5                   project to understand that the project was not going to be a  
6                   threat to their community, but was in fact, going to be making  
7                   a contribution to their community.

8                   So, in a meeting which I attended, the community  
9                   and the developers worked out an amenity package, which I think  
10                  you will hear about this evening. So, all in all, I would say  
11                  that this is a model of what an active community and a  
12                  responsive developer can do. I urge you to support it. I  
13                  thank you for hearing me this evening.

14                  I welcome Mr. Hannaham, who I have known for some  
15                  time, and I have very pleased to see that a DC resident,  
16                  actually a Ward Six resident, is also now representing the  
17                  architect of the Capitol on the Commission. So, thank you very  
18                  much for hearing me this evening.

19                  CHAIRPERSON MITTEN: Thank you. Before you step  
20                  away, I just want to see if any of the commissioners have any  
21                  questions. Any questions? Thank you for coming this evening.

22                  COUNCIL MEMBER AMBROSE: Thank you.

23                  CHAIRPERSON MITTEN: Now, we'll ask the applicant  
24                  to come forward, and as you do that, we'll just run through the  
25                  ? there's been a request and the applicant was kind enough to  
26                  provide the resumes in advance for a series of expert

1 witnesses, and Jack McLaurin in architecture, Thomas Johnson,  
2 Gary Martinez, James Regal, in architecture; Joseph Plumpe in  
3 landscape architecture; Martin Wells in traffic and parking.  
4 Any objections to any of those folks being qualified in their  
5 field?

6 VICE CHAIRPERSON HOOD: No objection.

7 CHAIRPERSON MITTEN: Okay. I think we're ready to  
8 go.

9 MR. FEOLA: Thank you Madam Chair. Maybe we  
10 should rest our case after the Council Member's talk, and get  
11 out of here early. Thank you.

12 My name is Phil Feola with Shaw, Pittman. I'm  
13 here with Paul Tummonds of our office on behalf of Eakin  
14 Youngentob Associates, and we're seeking approval of a planned  
15 unit development, and a zone change from the current R-4 Zone  
16 on the property to R-5-B on a site of a closed D.C. public  
17 school, the Bryan School, as the Council Member talked about.

18 We intend to show through the evidence tonight  
19 that the project meets all the zoning regulation requirements  
20 and the tests for approval of a planned unit development.

21 In many ways, Council Member Ambrose is right.  
22 We really think that this is a model for development and how it  
23 could work. It is a housing project, which as you know, the  
24 regulations specifically call out as a public benefit and a  
25 project amenity. It has a significant historic preservation  
26 element in the restoration of the Bryan School and adaptive

1       reuse.

2                   We think it has an extraordinarily well thought  
3       out site plan and good architecture and it meets all those  
4       tests. And then I guess finally, it is consistent with the  
5       Comprehensive Plan which calls for the site in the moderate  
6       density development.

7                   And I think with that, I'd like to introduce Toby  
8       Millman of Eakin Youngentob to walk us through the first part  
9       of the presentation. Thank you Madam Chair.

10                   MR. MILLMAN: Good evening. My name is Toby  
11       Millman. I'm the Vice President of Project Development with  
12       Eakin Youngentob Associates. It's an honor to finally make it  
13       here. This has been a long process on this property.

14                   We first met with the community about three years  
15       ago, on June 11, 1998, when they first solicited us as a  
16       potential developer. It took about a year and a half to get  
17       this property under contract with the District of Columbia  
18       Public Schools, and we've been in the planning process since  
19       that time.

20                   I think this is really, this meeting represents a  
21       culmination of this long process, and I think as we go through  
22       this presentation, you'll see that there's been a lot of  
23       imprints on this from various people in the community and  
24       elsewhere. And, I think you'll recognize it's really a  
25       balanced development with the historic school as a centerpiece  
26       of the development, and the town houses allowing the

1 development to go forward by supporting it financially, in  
2 essence, subsidizing the restoration of the school building.

3 And then finally, as the Council Member  
4 mentioned, allowing us to provide what we think is a  
5 substantial amenity package off-site for the community, a  
6 neighborhood amenity, and we'll get into that as well.

7 Just to give you a sense of the outline we're  
8 going to go through today, I'm going to talk a little bit about  
9 the background of our company, the community process that we've  
10 gone through to date, some of the existing conditions,  
11 neighborhood contacts for the site.

12 Then, Jack McLaurin, from Lasard (phonetic)  
13 Architectural Group, will talk about the overall site plan, and  
14 the town house architecture. Then, Tom Johnson, from Martinez  
15 & Johnson, will talk about the restoration of the old school  
16 building. Marty Wells, from Wells & Associates, will talk  
17 about the traffic and parking study that we undertook. Joe  
18 Plumpe, from Studio 39, will talk about the landscape  
19 architecture, which we've developed in some detail. And  
20 finally, I will wrap it up with the public benefit amenity  
21 package that we've put together with the community.

22 Eakin Youngentob was founded about nine years ago  
23 with the specific goal of developing urban in-fill sites just  
24 like this one. We build about 250 to 300 units a year. We  
25 have about 100 people on our team, and we're a fully integrated  
26 team of construction, land development, and marketing staff.

1                   Our development philosophy is really to try to  
2           recreate the City, where there are gaps essentially. We create  
3           unique site plans and architecture for each site. We front all  
4           our homes onto existing public streets where possible, or  
5           private streets, or internal green spaces, open spaces. We  
6           enhance our streetscapes through premium spending in the  
7           architecture on the exterior and the landscaping.

8                   And then finally, I think most importantly, I  
9           think as you'll see tonight, hopefully through testimony of the  
10          neighborhood, we do try to build strong neighborhood consensus  
11          through a very open participatory process.

12                   Just a couple of projects that we've done  
13          recently you may recognize. This is Ford's Landing in Old Town  
14          Alexandria, on the Potomac River, designed in architecture  
15          specific for that neighborhood. Old Town Village also in  
16          Alexandria.

17                   This is a project in southwest D.C., 93 town  
18          homes at 7<sup>th</sup> and G Street S.W. that's currently under  
19          construction. It's right up against the Southeast/Southwest  
20          Freeway. The houses are oriented to the outside of the site.  
21          Public space is on the interior, but trying again to recreate a  
22          streetscape that hadn't been there for a long, long time, and,  
23          these houses sold very, very well. And as I said, you can go  
24          down and see that project 50 to 60 percent complete today. The  
25          project's totally sold out.

26                   This is another project that's currently under

1 construction at 13<sup>th</sup> and B Streets N.W. in the Shaw  
2 neighborhood. It was 98 town houses. It was another District-  
3 owned property, purchased from DHCD. Again, houses were  
4 oriented out to the existing public streets to try to recreate  
5 the streetscape. The architecture was designed to fit into  
6 that neighborhood, specifically into that portion of Shaw,  
7 again sold very, very well. The project's about 50 to 60  
8 percent complete and it's completely sold out.

9 I did want to just touch on, again, the community  
10 process that we've gone through. I think it's important to  
11 note that there was strong support early on, and I think we  
12 gained support, even that much more support as a result of this  
13 very long, intensive process.

14 As I mentioned, we started meeting with the  
15 community in June of 1998. Since then, we've had two  
16 neighborhood presentations, three meetings. This is in a  
17 historic district, so we've had three meetings with the  
18 Historic Preservation Review Board, six meetings with the ANC-  
19 6B, six meetings with the Capitol Hill Restoration Society,  
20 five meetings with the Bryan School Neighborhood Association,  
21 and three meetings with other interested parties. We've had a  
22 total of 25 meetings. I think the result of those meetings has  
23 been a plan that really, I think, addresses almost every  
24 concern that we've heard.

25 First, as the Council Member mentioned, we  
26 reduced the density of the project from 43 to 38 town houses



1       very early on when we realized density was a major issue.

2                       We added approximately 40 percent more green  
3       space than we had originally designed into the project.

4                       We reduced the height of all the perimeter town  
5       houses by one full story, when it became clear that height  
6       along the perimeter was a major issue. We relocated the roof-  
7       top stair penthouses to minimize the visibility. We set back  
8       the roof decks from the front of the house.

9                       We increased the parking ratio so that every town  
10      house had parking for two cars in a garage space.

11                      We reconfigured the circulation to eliminate the  
12      through street we had originally planned, and we eliminated in  
13      the process one curb cut.

14                      We provided a more generous entrance area, and we  
15      added a vehicle turnaround to improve circulation.

16                      And finally, and you'll see this, I think in the  
17      amendments to the agreement, that we've agreed to covenants  
18      restricting the use or conversion of the garages that we're  
19      providing to prevent them from being converted into residential  
20      use or storage that would potentially exasperate the parking  
21      problem in the neighborhood.

22                      Just to give you a context where we are, this is  
23      the property right here. Obviously, this is the Capitol  
24      Building. The property is bounded by Independence on the  
25      North, South Carolina Avenue on the south. There's a row of  
26      town houses on 14<sup>th</sup> Street, but we're up against their alley on

1 the east, and same thing on Kentucky Avenue. There's a row of  
2 town houses, row houses, on Kentucky, and our property comes  
3 right up to the back of their alley.

4 Just some landmarks, Lincoln Park is to the  
5 north, and the Payne Elementary School, which we'll be talking  
6 about as part of our amenity package, is to the southeast.

7 Just to give you some idea of the architectural  
8 context of the neighborhood, and we have been working very  
9 closely with the Historic Preservation Review Board on this  
10 particular subject. We have been given approval for almost  
11 every aspect of it by that Board. The architecture along  
12 Independence Avenue across the street here looks like this,  
13 characterized by mostly 1890 style D.C. row houses. On South  
14 Carolina Avenue, across the street, is more of a 1920's porch-  
15 front style, so two very different architectural styles on  
16 either side of the property. And then, Kentucky Avenue is kind  
17 of a mix of the two. This is a close-up of those two  
18 architectural styles on South Carolina Avenue and then  
19 Independence Avenue.

20 The site today is almost entirely covered by  
21 either buildings or paved area. It's 96 percent covered by  
22 impervious surfaces. This is the old 1908 school building.  
23 This is the 1958 addition. This is again, the 1908 building.

24 There is, in the public space out in front on  
25 South Carolina Avenue, there was a plaza that was installed in  
26 the 60's, that has become somewhat of an eyesore and a

1 nuisance. It collects water in the summer and has become a  
2 mosquito infestation problem.

3 This is a view of the school from the back along  
4 South Carolina Avenue. You can see the edge of the same plaza  
5 right here.

6 We're proposing, you'll see in our plan, to  
7 remove this concrete plaza and convert it back to green space.

8 It will still stay in public ownership, but will become the  
9 front yards of the town houses. They were actually, until  
10 about 1958, were row houses along here that were torn down when  
11 the school expanded. So, essentially it will be returning it  
12 back to its original form.

13 And this is a rendering. This is the plaza and  
14 the two school buildings, and the site which is just over two  
15 acres. And as I said, 96 percent covered with impervious  
16 surfaces.

17 With that, I'm going to turn it over to Jack  
18 McLaurin, and he's going to discuss the site plan and the  
19 architecture.

20 MR. McLAURIN: Good evening. My name is Jack  
21 McLaurin. I'm with the Lasard Architectural Group. We've had  
22 the privilege of being the land planners and architects for the  
23 town homes on this project with Eakin Youngentob, and the  
24 privilege to work with them for a fairly long history now,  
25 including the two District projects that Toby mentioned  
26 earlier.

1                   I'd like to discuss the overall site plan, and  
2           then discuss the architecture of the town homes. The site  
3           comprises approximately 89,364 square feet, which is just  
4           slightly over two acres. It's 2.05 acres to be exact. The  
5           site is relatively flat.

6                   The existing grade is slightly high on the  
7           northwest corner, and slopes down toward the southeast corner.

8           We are not doing any major disturbance of the grade. We are  
9           actually designing architecture along South Carolina, in that  
10          interior building there, to work with the grade so there's  
11          minimal disruption to the grade.

12                   There are two basic design principles in creating  
13          this site plan. One is, as Toby mentioned, to recreate the  
14          historic street fabric that existed at one time, and be very  
15          respectful of the contextual architecture along the two  
16          streets, the Independence Avenue and the South Carolina Avenue.

17                   The other major principle in this plan is to be  
18          respectful of the school, not only in architecture and its  
19          design of the three buildings on the interior of the site, but  
20          also in the way we laid it out. We have all the fronts facing  
21          the school, and we have the open-air park area which is also  
22          between the architecture and the school. So, we're trying to  
23          be very respectful of the school and orient the fronts and  
24          social activity toward the school.

25                   The site as it exists right now, is three-  
26          quarters impervious, and Joe Plumpe will speak to the efforts

1 to create more green space. But, there's been a significant  
2 amount of increased green space on the site.

3 The housing is a mixture of 30 condominium units  
4 in the existing school structure, and 38 town homes throughout  
5 the site. Circulation to the site at the access points,  
6 there's one access point on Independence Avenue. Directly  
7 inside that access point is a large turnaround, and a drop-off  
8 area. One of the entrances to the school is not on that  
9 turnaround. You continue on that street and there's surface  
10 parking for the school as well as visitors.

11 The other access point to the site is on South  
12 Carolina Avenue, which utilizes a public alley on the right-  
13 hand side of that gray strip there, but also the left-hand side  
14 of that access is private alley part of the property, so we're  
15 taking about a 10-foot alley and widening it to a 20-foot  
16 alley. There's an existing 20-foot curb cut there which makes  
17 it easy for us to do that.

18 Circulation through the site, when you come in  
19 those access points, I discussed the one around the school, but  
20 the other access point off of South Carolina, you head straight  
21 in front to the two-car garages for each town home unit and/or  
22 you turn left down the alley. All these town homes are rear-  
23 loaded two-car garages.

24 The ones that do not ? I think there's a total of  
25 three town homes that do not have rear-loaded two-car garages.

26 They have one car garages throughout the site. Toby, if you

1       could point to, yes.   Those are one-car garages which will  
2       serve the three town homes that do not have direct access.  
3       But, every town home has integral two-car garages.

4                 Speaking of the parking, there are 30 parking  
5       spaces for the condominium building, which is a combination of  
6       surface parking and one-car garages.   The one-car garages on  
7       the left-hand side will serve the condominium building.

8                 There are 76 parking spaces for the town homes,  
9       which I mentioned.   They're all two-car garages, and then there  
10      are nine visitor spaces for the total of 115 parking spaces for  
11      the site.

12                This is a perspective of the school on the right-  
13      hand side and the new row house style town homes on the left-  
14      hand side, as if you are standing on Independence Avenue across  
15      the street from the site, a little bit down the street and  
16      across the street.   As you can see, the style of architecture  
17      that we're creating on this street is very respectful to what  
18      exists on the street.   It is a typical bay front row house  
19      style.

20                The other side of the street ? or excuse me, on  
21      South Carolina is a similar type of perspective from a similar  
22      angle.   As you can see, we are maintaining the character of the  
23      front porch architecture and trying to recreate the fabric that  
24      existed there at one point.

25                As Toby mentioned, there were 15 town homes that  
26      were demolished on this street, somewhere around 1958 for

1 construction and expansion of the parking lot for the school.  
2 So, we're merely trying to recreate that street face and that  
3 streetscape that existed, large front yards, elevated porches.

4 Everything will be in line and the little two to three-foot  
5 Washington Wall that's out on the sidewalk edge.

6 This is the interior building, straight on  
7 elevation up on top, and then a perspective down below, the  
8 architecture and massing trying to emulate but not copy the  
9 school. We're picking up materials and subtle details from the  
10 school, trying to create individuality for each town home with  
11 the vertical box bay approach here. And also each unit has a  
12 front yard that is enclosed on three sides by a wrought iron  
13 gate, to give a sense of ownership to each individual front  
14 yard, but also promote socialization and just a community  
15 feeling which is predominant in the neighborhood.

16 This would be a typical elevation of the rear of  
17 the town homes as seen from the alleys, and you can see the  
18 two-car garages which is completely integral within the  
19 footprint of the town home.

20 This is a section cut through the site. On the  
21 left-hand side would be South Carolina Avenue, and then the  
22 town homes we propose on the left-hand side. Directly to the  
23 right of that is the alley, and then directly to the right  
24 would be the courtyard building on the interior of the site.  
25 And then, where the clump of trees are, that would be the  
26 courtyard area. And then you have the street with some

1        parking. And then the structure on the right-hand side, is the  
2        existing school.

3                    As you can see ? I'm sorry Toby ? the two town  
4        homes on the right, you can see the access to the garage and  
5        there are some steps in there to try to accommodate the grade  
6        that exists out there.

7                    This is a typical floor plan, and the reason I  
8        show you this, is to try to further illustrate the two-car  
9        garage concept on the ground floor. The front door is on the  
10       other side. You see a small study on that level and a foyer.  
11       The next level up would be a typical floor plan, their living  
12       room on the front, a dining room in the middle, and a kitchen  
13       toward the rear with a breakfast nook. The next floor would be  
14       a master bedroom and a secondary bedroom, both with their own  
15       bathrooms. And then the top floor, in this case, represents  
16       one of the perimeter town homes, which is strictly a roof deck  
17       with a stair penthouse.

18                   As illustrated in a slide, to be coming up later,  
19       access to the front, street side of these roof decks is  
20       prohibited by a guardrail so that activity is limited toward  
21       the middle or the rear of the town home.

22                   This would be representative of EY projects and  
23       the typical level of interior detailing, very nice detailing,  
24       and upscale.

25                   With that, I'd like to turn it over to Tom  
26       Johnson to discuss the school.



1                   MR. JOHNSON: Good evening. I'm Tom Johnson. I'm  
2           a partner in the architecture firm of Martinez & Johnson  
3           Architecture in Washington, D. C. Our practice specializes in  
4           historic preservation projects. Among our current multi-family  
5           residential historical efforts, we're completing the Alden  
6           Towers (phonetic) rehabilitation, the conversion of the United  
7           Mine Workers of America Building at McPherson (phonetic) Square  
8           to apartments, and the Carnan Apartments in downtown Baltimore,  
9           all tax credit projects.

10                   The developer, Eakin Youngentob Associates,  
11           commissioned us to be the architects for the rehabilitation of  
12           the Thomas B. Bryan School, and its adaptation to apartments.  
13           I'm joined here tonight by our Senior Associate Jim Regal who's  
14           the Project Manager in our office for the project.

15                   Tonight I'd like to briefly describe the school  
16           as to its construction history, its siting within the  
17           neighborhood, and its existing physical conditions which all  
18           directly affect the redevelopment plan.

19                   On this panel here, we see the view in the upper  
20           left-hand corner from Independence Avenue, looking at the  
21           school from the east. And, in the middle at the top, we're  
22           seeing the view from South Carolina Avenue, the rear of the  
23           school itself. The school has three main components as we  
24           touched on previously.

25                   The original building was constructed in 1909,  
26           and was added to in 1927 and 1957. The original school, built

1        in 1909, was a two-story-with-basement building in the  
2        Elizabethan style, one of several such buildings built between  
3        1900 and 1910 in Washington. The building is rectangular.  
4        It's about 131 feet long. It's about 88 feet deep. And, the  
5        original building, as it was in 1927, is about 40,000 gross  
6        square feet. It's organized as a recessed central pavilion  
7        with symmetrical projecting pavilions on either side, both in  
8        the front and in the back.

9                    When the building was a school, it had separate  
10       entrances for boys and girls in the east and west elevations.  
11       The side elevations, their inferences with colonial revival  
12       porticos with triangular pediments. The west elevation is  
13       generally unaltered. We're hopeful that the east inference,  
14       which was compromised for the 1957 modern addition, can be  
15       either saved or reconstructed. We've done a lot of work there,  
16       but we think it might be in pretty good shape once that's  
17       removed.

18                   The main building is largely brick, with cast  
19       stone and some limestone detailing. There are large windows to  
20       the classrooms. They're in a variety of single and multiple  
21       lights, and they're framed or separated by cast stone frames  
22       and piers, and trimmed by limestone and ornamental metal  
23       detailing. The original building had a large gable roof over  
24       each of the projecting pavilions.

25                   The 1909 construction was designed by prominent  
26       Washington architect and Capitol Hill native Leon E. Disez.

1 Disez worked on the completion of the Washington Monument and  
2 projects at the Washington Naval Yard. He became the Director  
3 and Chief Architect for the Chevy Chase Land Company, and  
4 became highly involved in the development of Chevy Chase,  
5 Maryland. He designed the Vice President's house in  
6 Observatory Circle, several notable apartment buildings  
7 including the Chevy Chase on Chevy Chase Circle, and medical  
8 facilities including the hospital at the old Soldier's Home.

9           The third floor, constructed in 1927 was done so  
10 under the tenure of Municipal Architect Albert Harris. The  
11 addition significantly altered the original appearance of the  
12 school. The building's roof is now flat. Molded limestone  
13 strips mark the location of the original cornice and roof.

14           The plan of the lower floors was generally  
15 adhered to in this addition. A two-story wing to the east and  
16 a modernist idiom was constructed in 1957. It has a flat roof  
17 and does not relate architecturally to the original building in  
18 a significant way.

19           The Bryan School has always been an important  
20 part of the neighborhood. Square 1038, where it's located, was  
21 largely developed between 1893 and 1915. All of the houses on  
22 South Carolina Avenue were built between 1912 and 1915. About  
23 60 percent of the houses built on Square 1038 post-date the  
24 Bryan School.

25           As we touched on earlier, 15 houses on South  
26 Carolina Avenue were demolished to expand the playground, and

1       at least two houses on Independence Avenue were raised for the  
2       1957 addition. The Eakin Youngentob plan will restore much of  
3       the previous street frontage and density to the site and to the  
4       neighborhood.

5               These photographs of the windows show their  
6       deteriorated condition. They are large wood windows with cast  
7       stone surrounds toothed into the surrounding masonry with cast  
8       stone piers between the multiple window configurations.

9               Typically, there's a decorative cast iron lintel  
10      enclosure that's connected to a concealed pre-cast concrete  
11      lintel at the window heads, which supports just the outside  
12      wife and masonry. The windows typically have limestone sills.

13

14              Our office extensively surveyed the building last  
15      winter. Eakin Youngentob has commissioned numerous structural  
16      probes and analytical deconstruction of the details at the  
17      design team's direction and have consistently demonstrated a  
18      commitment to the understanding of the existing conditions at  
19      the school, and to implementing a repair program as part of the  
20      preservation strategy.

21              Our architectural window survey indicated that  
22      the fenestration will require extensive repair. The glazing's  
23      been significantly altered over time, and the wood window  
24      sashes are badly damaged. We intend to repair the window  
25      frames and plan to replace the glazing and window sash with  
26      historically accurate double-glazed windows.

1                   The visual observation shows the lintels and  
2           piers to be severely cracked and deteriorated with large  
3           portions of concrete covers falling off to expose reinforcing  
4           bars. But the forensic work that we did showed that a lot of  
5           this was happening because there's very little through-wall  
6           flashing in the building and the facade shows much of the  
7           damage through water infiltration.

8                   As the steel lintels above the third floor  
9           rusted, the resulting expansion of those lintels has exerted  
10          significant forces on the masonry wall resulting in bulging and  
11          sprawling back in the upper displacement of the brick wall and  
12          parapet.

13                  Continuing around the building, there are signs  
14          of disrepair and structural concern which occur consistently at  
15          window heads. The flat roof does not drain properly and the  
16          often repaired parapet is a source for water infiltration.

17                  Generally, the third floor addition from 1927 has  
18          caused problems due to a breach in the waterproofing integrity  
19          of the original facade. There has been a crushing effect to  
20          the lower levels that's occurred because the wall system  
21          probably was never designed to anticipate additional loading  
22          like this, which has resulted in the failure of the cast stone  
23          and other masonry building elements.

24                  Understanding these problems, Eakin Youngentob is  
25          committed to remedying the conditions by implementing  
26          recommended and achievable solutions.

1                   I have the reports from the structural engineers  
2                   and our forensic consultants, as well as our office here. We  
3                   have copies. We'd be delighted to make them available to the  
4                   Commission.

5                   The main reason I'm showing you all of these  
6                   photographs, and discussing our survey process, is to indicate  
7                   the time and effort that's going to be required, the finances  
8                   that are required to rehab the Bryan School that's the  
9                   centerpiece of this development project.

10                  The internal configuration of the building, the  
11                  classrooms and corridors is largely intact from 1909. The  
12                  photographs show the spatial quality of the classrooms and the  
13                  tremendous lighting effect from the large windows. The  
14                  stairwells and the public corridors are generously proportioned  
15                  and offer a rich sequence of spaces through the building.

16                  We'd like to note that these photographs do not  
17                  specifically observe some of the other building issues that  
18                  require remediation. For example, the studies and assessments  
19                  that have been commissioned, have shown the presence of lead  
20                  paint and asbestos, which are very real and costly issues for  
21                  Eakin Youngentob.

22                  The lower floor has a mechanical room that will  
23                  be converted to residential use. There's cost associated with  
24                  removal of equipment and the adaptation of these spaces which  
25                  are currently below grade on Independence Avenue.

26                  The Independence Avenue site side also have a

1 large vault in the front garden that must be removed, and the  
2 ground plane accordingly will have to be reconstructed and re-  
3 landscaped.

4 This floor plan is pretty typical of the four  
5 floors of the building, and it shows the overall rehabilitation  
6 strategy for the school. The 1957 addition is removed. It  
7 affords access to the site from Independence Avenue and  
8 restores the original building's form and integrity. The  
9 interior partitions are largely retained. They are the ones  
10 that are done in dark, which you can see most of those dark  
11 walls are original walls, so that the planned apartment  
12 building will still have pretty much the feel of the school.

13 The classrooms average about 1,000 square feet  
14 each, which is almost ideal for apartment size. So, we'll have  
15 to make, we think, relatively few alterations consequently, and  
16 any variations in classroom size and the various gears and  
17 aspects that are afforded from the units, will create the  
18 market diversity that the developer is looking for.

19 Currently, we envision loft-style apartment plans  
20 that retain a great deal of original fabric on the walls,  
21 floors, and ceilings. Bathrooms, kitchens, and mechanical  
22 necessities will be built into the existing pochet (phonetic)  
23 or heavy spaces, which has been where the cloak rooms had been  
24 in the original school.

25 The new construction will be respectful of the  
26 volume of the classrooms, by using minimal connections to the

1       ceilings or to the outside walls. You can see that the wide  
2       corridors will be retained. This approach, we think,  
3       sacrifices efficiency for graciousness, and there's a special  
4       quality that's achieved by understanding the history of the  
5       school.

6               These photographs are other projects, obviously,  
7       but we believe that one can look at these and extrapolate the  
8       potential of the loft approach to the Bryan School.  
9       Architecturally and stylistically, these shots show that there  
10      are large expanses of glass. There are high ceilings, somewhat  
11      what we think the classrooms will be like, and the idea of  
12      floating residential elements like kitchens and fireplaces.

13             It's very exciting for us to be part of the  
14      design team that's returning such an important neighborhood  
15      building to use. The fenced-in yards and abandoned building  
16      that are now a hole in the local fabric, can become a  
17      neighborhood centerpiece.

18             The Lasard Architecture Group has called upon the  
19      architectural character of the school, and also the neighboring  
20      terraces or row houses to then form the new housing scheme.

21             The attention that Eakin Youngentob Associates  
22      has given to the school building rehabilitation, and it's  
23      conversion to residential use, serves as good preservation and  
24      good urban design. Conversely, the new in-fill density of row  
25      houses inspired by the rich context of Capitol Hill housing  
26      will become the economic generator required to preserve the



1 school. Thank you very much.

2 MR. FEOLA: Madam Chairman, our next witness is  
3 Marty Wells, of Wells & Associates, our traffic consultant.  
4 Mr. Wells.

5 MR. WELLS: Good evening. My firm was retained by  
6 Eakin Youngentob to evaluate the traffic and parking impacts of  
7 the project. We looked at, of course, the two site driveways  
8 that serve the project, as well as the four intersections that  
9 bound the block on which this project is located.

10 Independence Avenue is here. It operates one way  
11 eastbound. This is 14<sup>th</sup> Street which operates one way  
12 southbound. South Carolina and Kentucky Avenue, they both  
13 operate two ways. Traffic signals are located at three of the  
14 corners. South Carolina is controlled by a stop sign at 14<sup>th</sup>  
15 Street.

16 Independence Avenue by far carries the heaviest  
17 traffic volumes. In the morning, it carries about 400 to 600  
18 peak-hour trips. In the afternoon, it carries 1400 to 1600  
19 peak-hour trips. These intersections generally work well,  
20 except for Independence Avenue which operates near capacity at  
21 level of service E in the PM peak hour when the traffic volumes  
22 are heaviest.

23 We looked at conditions as they might pertain in  
24 2002, a couple years from now, assuming conservatively that  
25 existing traffic volumes increase by three percent a year.  
26 That's a rather aggressive rate for this area, and find a

1 similar picture, that the intersections will operate well,  
2 again with the exception of Independence Avenue at Kentucky and  
3 at 14<sup>th</sup> Street.

4 Bryan School is located between three Metro  
5 Stations. The Eastern Market Station is located six blocks to  
6 the west. Potomac Avenue Station is located four blocks to the  
7 south. Stadium Armory is located five blocks to the east.

8 We estimate that when completed, the project in  
9 the morning peak hour, that's a 60-minute figure, would  
10 generate about 22 trips, four in and 18 out. In the PM peak  
11 hour, it would generate about 27 trips, 18 in and nine out.  
12 Over a 24-hour day, it would generate just under 300 trips.

13 With that additional traffic and background  
14 traffic growth, we find that the site driveways will work well  
15 at a level of service A on South Carolina and A or C, morning  
16 and PM peak hour on Independence Avenue. The intersections at  
17 Kentucky and South Carolina, South Carolina and 14<sup>th</sup> Street will  
18 operate well in the B or C range.

19 We have that same persisting problem in the PM  
20 peak hour on Independence Avenue, which we think can be  
21 mitigated or resolved by a simple change in the allocation of  
22 the green time. Right now, these two signals have a cycle  
23 length of 55 seconds.

24 It is surprising to me Independence Avenue only  
25 gets about 19 to 22 seconds of that green time, and what we  
26 have proposed to the Department of Public Works is that they

1        reallocate three seconds of green time from the side streets  
2        here, which get nearly as much green time as Independence  
3        Avenue. If we allocate three seconds of side street green time  
4        to Independence Avenue, again within the existing 55 second  
5        cycle length.

6                    Parking was touched on earlier. The District of  
7        Columbia code requires 53 parking spaces for the number of 30  
8        condominium units and 38 town homes as is shown in purple here.

9        Eakin Youngentob actually is proposing to provide on-site some  
10       115 spaces, at the rate of one per unit for the condos and two  
11       per unit for the town homes, plus another nine guest parking  
12       spaces.

13                   We're also mindful that there is curb parking on  
14       the four streets that define this block. On Independence,  
15       Kentucky, South Carolina, and 14<sup>th</sup> Street, there are a total of  
16       166 parking spaces.

17                   We conducted occupancy counts throughout the day  
18       on a typical Wednesday, Friday, and Saturday to find out how  
19       many were filled, how many were vacant. This shows the number  
20       of vacant parking spaces at those different times.

21                   You can see in the blue and the green, that  
22       roughly 80 to 100 of those spaces during the day, that is 10:00  
23       to Noon, 2:00 to 5:00 are vacant. In the evening around 8:00,  
24       about 40 or so are vacant, and late at night at midnight, about  
25       20 are vacant.

26                   You can see a similar pattern during Saturdays

1 with slightly fewer vacant parking spaces. Thank you.

2 MR. FEOLA: Mr. Wells, your conclusion with regard  
3 to the impact of this project?

4 MR. WELLS: Yes, my conclusion is that the traffic  
5 impacts would be modest at those two intersections that I  
6 mentioned at Independence Avenue.

7 This project would add about six to twelve peak-  
8 hour trips. That's less than one percent increase over the  
9 existing trips.

10 I think the project will have a minimal or  
11 insignificant traffic impact, and I'm pleased to say in a  
12 memorandum that Mr. Ken Laden from the Transportation Planning  
13 from DPW, he concurs with that conclusion. I was glad to see  
14 that today.

15 MR. FEOLA: Madam Chair, our next witness is Mr.  
16 Joseph Plumpe of Studio 39.

17 MR. PLUMPE: Yes, for the record my name is Joseph  
18 Plumpe with Studio 39 with the Lazard Group Architects on the  
19 project.

20 Coming off of Independence Avenue from the north  
21 of the project itself, we will be retaining the existing street  
22 trees that are there as well as the brick sidewalk. Going into  
23 the project, there is a brick crosswalk going into it. There  
24 will be a motor court, a specialty paving with benches,  
25 landscaped that would complement the architecture and  
26 aesthetically be placed so it does not hide any of the

1 architectural facade treatments that are notable to the eye  
2 from a historical presence.

3           Once you're into the project itself, there's an  
4 alleyway which surrounds the school building itself. It is  
5 delineated by parking that is in specialty paving too, to  
6 minimize the amount of the visual effect of asphalt or whatever  
7 the main traffic area would be.

8           Within the project also, is once you get into the  
9 project, there is an open space to the lower right-hand corner  
10 of the project, which is the central courtyard, which is the  
11 central open space of the project.

12           Within the project again, and I just want to  
13 highlight at the entrance of Independence Avenue, the proposed  
14 town homes will have their front yards that would replicate the  
15 historical fabric that's in Capitol Hill right now today, with  
16 the large yards and the bay window treatments.

17           The open space in the central part of the project  
18 has seeding, ornamental landscaping with trees, large trees  
19 also to animate the facade of the buildings themselves.  
20 There's iron railings and gates for the front yard enclosures  
21 to have that sense of Capitol Hillness there, if there's such a  
22 word.

23           Next slide please. Along South Carolina Avenue,  
24 the frontage is given back to the street which once was there.

25           As previously stated, within the 50's it was torn down for  
26 additional playground equipment. It will be back to where it

1       is right now, which is the neighborhood of the large front  
2       yards, the long lead walks, the stone brick wall ? excuse me,  
3       the stone walls along the sidewalk, and the sidewalk would be  
4       retained as it is today in the brick sidewalk as well as the  
5       existing street trees.

6               On the rear of the town homes, as you can see  
7       here, are the two-car garages, but with that we try to get some  
8       green in there, some planting material which will go vertically  
9       as well as horizontally. There's some pocket planting by the  
10      doors themselves. We have a lattice and arbor structure above  
11      garage as well as on the facades of the buildings to have the  
12      greenery go up on the building facades. There's also window  
13      boxes placed on the lower level of the units themselves to  
14      animate that architecture in the background, so that it's not  
15      just a bland alleyway.

16             The rooftops themselves, really just shows you  
17      this is the open space of the units themselves. Seeding,  
18      planting and whatnot can happen on there, but I think the key  
19      thing is, as noted by the architect prior to, was that the  
20      fronts of the buildings are limited access by railing on the  
21      rooftops themselves.

22             As you can see, there's quite a bit of difference  
23      from before ? excuse me, as it is right now and what's  
24      proposed. There's about four and a half times worth of  
25      additional green space on the project itself, so I think it's  
26      going to definitely animate the neighborhood nicely. Thank

1       you.

2                   MR. MILLMAN: Again, my name is Toby Millman.  
3       Just to summarize the presentation, I did want to touch on some  
4       of the categories that we looked at to make sure that we were  
5       achieving the mission, the goal of a planned unit development  
6       with merit.

7                   Obviously, I think we've achieved to a superior  
8       level the introduction of new housing. Obviously, the  
9       restoration of the historic Bryan School is a major important  
10      element of this project. The high quality urban design site  
11      planning, I think we've demonstrated that the project will  
12      operate in an effective and safe way both for vehicular and  
13      pedestrian access.

14                  The project will generate a very good deal of new  
15      revenue for the District. The property now is owned by the  
16      District, so it's not generating tax revenue; in fact, there's  
17      a drain on the District right now, and obviously we were  
18      purchasing the property from the District, so when we settle on  
19      the property, they will receive revenue as a result of that  
20      sale.

21                  The project meets the stated goals of the  
22      Comprehensive Plan. Environmentally, we will be implementing  
23      an underground storm water filtration system so all the runoff  
24      going off the site will be filtered, whereas today, it just  
25      runs off into the storm water facilities.

26                  Employment and Training: As usual, we'll be

1 signing, executing agreements with the Local Business  
2 Opportunities Commission, and the Department of Employment  
3 Services for disadvantaged contracting goals and First Source  
4 Agreement goals.

5 The last element, the social services and  
6 facilities, I think we've been able to achieve with the off-  
7 site neighborhood amenity we mentioned at the beginning of the  
8 presentation. As the Council Member mentioned, we've been  
9 meeting with the community in earnest over the last month or  
10 so, on what exactly the neighborhood amenity, off-site amenity,  
11 would be.

12 The site, Bryan School, is here. Lincoln Park  
13 was one idea a lot of people wanted to see implemented. The  
14 Friends of Lincoln Park were developing a fund in conjunction  
15 with the National Park Service, to provide playground equipment  
16 for Lincoln Park. That was one idea.

17 But, there was a major push to try to see the  
18 bulk of the off-site amenity provided east of the site, the  
19 side of the neighborhood that was most in need of new  
20 investment.

21 So, we identified Payne School. We quickly met  
22 with the Principal of the Payne Elementary, Dennis Holmsley.  
23 He identified as his #1 priority was the installation of air-  
24 conditioning. The school was built in the 50's, from the 40's  
25 and 50's. It was designed in a way that it's not a very  
26 liveable or a very good environment for education because the



1 windows, the open windows are very small. So, he identified  
2 that as a major issue. We've agreed to provide air-  
3 conditioning for the school.

4 In addition, there is a building that's being  
5 redeveloped by a non-profit group called the Computer Corner.  
6 It's an after school program to help teach kids how to use  
7 computers, and it's also just a place for them to go after  
8 school when they're looking for things to do, and it's a  
9 project that's supported by, again, the principal at Payne  
10 Elementary.

11 This package of amenities was really hammered out  
12 just actually a few days ago at a meeting. We finally, all the  
13 community leaders got together and we came up with this, the  
14 actual amenity package, and what the funding might be.

15 The air-conditioning for the building, we'll be  
16 giving \$40,000 to the school for that, and that was based on an  
17 estimate provided to us. We're also going to be providing  
18 \$15,000 for library improvements for the school, \$12,000 will  
19 go to the Friends of Lincoln Park Fund for the new playground  
20 equipment, and finally, \$15,000 will be going to the building  
21 enhancements for the Computer Corner on 15<sup>th</sup> Street, for a total  
22 of \$82,000.

23 And, I think as the Council Member mentioned,  
24 this is clearly a new precedent for a residential project I  
25 think of this size, but I think it was something we wanted to  
26 do for the community. They've been very easy to work with, and

1       it was something that we wanted to give back, not only just to  
2       get approval, but something that was important to us.

3               In closing, I think I just want to reiterate this  
4       has been a long process, but I can say it was not a long and  
5       difficult process.     It was very easy to work with this  
6       community.     They've been just incredible to work with and  
7       understanding, and had a sense of what the balances were on  
8       this site.

9               We had this very difficult building to work with  
10      and that there were certain accommodations that everybody was  
11      going to have to make in order to fiscally, financially sustain  
12      the restoration of the building, and people understood very  
13      early on, that the town houses essentially are subsidizing the  
14      restoration of the school building, the centerpiece of the  
15      development.

16              And, as a result, I think we've been able to put  
17      together a development that is well supported, and I believe  
18      that there will be community testimony to that effect, and I  
19      appreciate your time.

20              MR. FEOLA:   Thank you, Madam Chair.     That  
21      concludes our direct presentation.   Obviously, if there is need  
22      we'd like to save some time for rebuttal.

23              CHAIRPERSON MITTEN: Thank you.     Any questions  
24      from the Commissioners for the applicant?

25              MR. FEOLA: Madam Chair, we also have boards of  
26      all these things, so if we turn on the lights and people want

1       to see specific things, we can do it with the boards if that's  
2       your pleasure.

3                   CHAIRPERSON MITTEN: Thank you.

4                   VICE CHAIRPERSON HOOD: Madam Chair?

5                   CHAIRPERSON MITTEN: Mr. Hood.

6                   VICE CHAIRPERSON HOOD: I have one question of Mr.  
7       Millman.    You obviously have a lot of ? have done a few  
8       projects here in the District of Columbia.   One of my major  
9       concerns is ? let me find my major concern first.

10                  Okay, in #7 and 8, you touched on it briefly,  
11       The First Source Employment Program and the Local Business  
12       Opportunity Program.   Your track record on the, I guess it's  
13       Capitol Square and Harrison Square, do you have and I don't  
14       want to get into any legal terms, but do you have any evidence  
15       of how you have handled both 7 and 8, the First Source  
16       Agreement and the Local Business Opportunity Program?

17                  MR. MILLMAN: I don't have evidence with me, but  
18       we had entered into both contracts on both those projects.

19                  I can be honest, we did have some difficulties  
20       early on, especially on -- the First Source Agreement we've  
21       been very successful in achieving our goals there.

22       The LSDBE Agreement, we, I think we were a little bit naive  
23       going in that we could find contractors easily who were willing  
24       to work on a project of this scale.

25                  Early on, we worked very closely with Mr.  
26       Enamashawn to try to get our goals up, our numbers up, and we

1       have been able to do that.     We've also been recently in  
2       discussions with L. S. Caldwell and Associates, a consultant  
3       that specializes in helping developers like us improve our goal  
4       in achieving our LSDBE goals, and we're committed to improving  
5       our record.

6                   VICE CHAIRPERSON HOOD: Okay, let me just ask you,  
7       for those two, the First Source and the Local Business, would  
8       you say that you are good, satisfactory, or unsatisfactory?

9                   MR. MILLMAN: I would say that on the First Source  
10      Agreement we're good.     We're definitely achieving our goals  
11      there.

12                  The LSDBE, I would honestly characterize it,  
13      until about probably about a couple of months ago, I'd say it  
14      was unsatisfactory, and we will readily admit that.     We just  
15      weren't set up, I think internally our structure to go out and  
16      aggressively recruit the LSDBE certified contractors and that's  
17      why we're making a concerted effort to make changes on that,  
18      and that's why we brought on this consultant to help make those  
19      changes.

20                  VICE CHAIRPERSON HOOD: Now, your project on  
21      Capitol Square, that's the one that's southwest?

22                  MR. MILLMAN: Right.

23                  VICE CHAIRPERSON HOOD: Right.     And, I can tell  
24      you my concern is, and I've mentioned this a couple of times,  
25      I'm sure my colleagues have heard me talk about this here  
26      lately quite frequently.

1                   I sit down here and I vote on these things and,  
2           you know, we approve it, and, I'm not picking on you, but I'm  
3           just making you cognizant of the fact, and these things don't  
4           actually happen. And I was glad to see that you did do Capitol  
5           Square, because I'm hoping ? I don't guess we'll be voting  
6           tonight. Maybe you could provide where you were in the status  
7           of both of those two areas, because those are key. We're  
8           looking at local businesses and then we're trying to get  
9           District residents jobs.

10                   MR. MILLMAN: Sure.

11                   VICE CHAIRPERSON HOOD: And we want to make sure  
12           that that goes, and I'm not picking on you, because it's a lot  
13           of our developers that come down and this same piece is  
14           included, and I just let my colleagues know that you'll  
15           probably hear me say this from now on.

16                   I think in our last monthly meeting, every case I  
17           said the same thing, so I want to make sure that this is key,  
18           that it actually happens. And, I want you to be assured that  
19           I'm not picking on you, but I just want to make sure that we  
20           either improve this process or we do something, as opposed to  
21           just sitting down here and rubber stamp it. So with that, if  
22           that could be provided Mr. Phil, I really would appreciate it.

23                   MR. FEOLA: Yes, sir.

24                   VICE CHAIRPERSON HOOD: Okay. The other thing, my  
25           other concern is, and it was mentioned, I know we voted not to  
26           give the person party status, but I didn't really understand.

1       Someone made a remark that people could jump off the roof, and  
2       I don't have that in front of me right now, you could jump off  
3       the roof and jump into their house or something. Are you  
4       familiar with that statement? Could you kind of show me what  
5       they're talking about?

6                   MR. MILLMAN: I believe the statement is relative  
7       to ?

8                   VICE CHAIRPERSON HOOD: Oh, I'm sorry, climb on  
9       her roof from the abutting roof decks.

10                  MR. MILLMAN: Right.

11                  VICE CHAIRPERSON HOOD: Okay.

12                  MR. MILLMAN: I believe the statement is relative  
13       to this house right here. This is an existing house and this  
14       is our proposed house with the roof deck on top, and the  
15       existing resident's concern is that somebody could climb off  
16       the roof deck onto her roof. Honestly, there's a lot of roof  
17       decks in the City, and without saying it's not a reasonable  
18       concern, I would say it's a concern that I don't think that she  
19       should worry about.

20                  VICE CHAIRPERSON HOOD: Okay. Also, we're looking  
21       at a homeowner's association?

22                  MR. MILLMAN: Yes. It's a combination of a  
23       homeowner's association and a condominium association.

24                  VICE CHAIRPERSON HOOD: Condominiums, so you're  
25       going to have two?

26                  MR. MILLMAN: Right.

1                   VICE CHAIRPERSON HOOD: The alley, the public and  
2                   the private alley, is that going to be all, once you ? are you  
3                   going to try ? is it going to be all public, or is it going to  
4                   be all private? Are you going to try to get it closed?

5                   MR. MILLMAN: No, we're not going to be vacating  
6                   the alley. The portion that's currently public today will stay  
7                   public. The portion that's on the school property will become  
8                   private.

9                   VICE CHAIRPERSON HOOD: Okay. So, but I mean but  
10                  they're adjoining?

11                  MR. MILLMAN: Right. You won't be able to tell  
12                  the difference.

13                  VICE CHAIRPERSON HOOD: When it comes time for  
14                  repairs, who's responsible?

15                  MR. MILLMAN: I believe the public portion would  
16                  be maintained by DPW and the private portion would be  
17                  maintained by the homeowner's association.

18                  VICE CHAIRPERSON HOOD: That also would be another  
19                  first of its kind if that works out. I was glad to hear that  
20                  the citizens ? I want to commend you. I was glad to hear that  
21                  the citizens had been lobbying for a developer and obviously,  
22                  it looks to be a good piece, and I wanted to just commend you  
23                  on that.

24                  MR. MILLMAN: Thank you.

25                  VICE CHAIRPERSON HOOD: Thank you, Madam Chair.  
26                  No further questions.

1                   CHAIRPERSON MITTEN: Thank you, Mr. Hood. Mr.  
2                   May?

3                   COMMISSIONER MAY: Thank you. I have a number of  
4                   questions, and some of them actually were answered in material  
5                   I received today. This is from my reading of the materials  
6                   that were received in advance, and that was the question of the  
7                   garages and what would prevent conversion to residential use,  
8                   or other use, that would exasperate the parking problem, and  
9                   I'm glad to see that that's been addressed.

10                  I do have a question that relates to alleys as  
11                  well. Actually, most of my questions center around the site  
12                  plan. First, let me say, it's quite obvious from the record  
13                  and what we've received so far that what the neighborhood has  
14                  been saying has obviously been heard and that there have been  
15                  significant changes that were made, and that's obviously  
16                  commendable. There are still some questions that I have about  
17                  the site plan.

18                  The first one that I have is about the ? on the  
19                  one side, you've elected in essence to merge the public alley  
20                  with the private alley; whereas, on the other side, you were  
21                  abutting an existing alley, and you've chosen not to connect to  
22                  that in any way. And I wonder if that's based on design  
23                  principle or neighborhood input, or what your thinking was with  
24                  regard to the Kentucky Avenue alley?

25                  MR. MILLMAN: Sure, there actually was a lot of  
26                  thought and community process that went into that. The thought



1 process was that on this alley, there was really only one house  
2 that was accessing it for vehicular uses. There's a garage  
3 here, which actually in reality, isn't even being used as a  
4 garage, and there wasn't any protest by any of the 14<sup>th</sup> Street  
5 or the South Carolina Avenue residents about utilizing the  
6 alley. In fact, they were pleased to see that alley was going  
7 to be improved as a result.

8 Kentucky Avenue is a different case. There are a  
9 lot of garages along here and car pads, and there was some  
10 concern about putting additional traffic onto this already  
11 somewhat congested very, very narrow and kind of winding alley.

12 So early on, I mean, our first site plan in fact that we  
13 showed the community, showed these two alleys segregated from  
14 one another, and that was the reason behind it.

15 COMMISSIONER MAY: Okay. I suspected that might  
16 have been part of it, although it seems kind of funny seeing  
17 them side-by-side. You'd think that there would be some  
18 benefit to having a single, larger and theoretically improved  
19 alley. But, I understand why now.

20 The next question I have about the site is, and  
21 this seems to be a recurring theme in the projects that you  
22 showed earlier, is that there are virtually no rear yards at  
23 all, and there is a lot of driveway to get to garages, and, I  
24 wonder about your previous experience with that.

25 I mean, obviously the units in these other  
26 developments are selling well, but it's an uncharacteristic

1       housing type it seems to me, certainly for this area and  
2       perhaps for the District in general, to have the no rear yard  
3       and roof deck only as open space. There are some significant  
4       front yards, obviously, on South Carolina, but virtually no  
5       rear yard.

6                       So, I'm wondering what the experience is in terms  
7       of the actual use and how people regard that. In fact, how  
8       people in the community regard that as well, because it is a  
9       departure from every other lot that we see on that plan.

10                      MR. MILLMAN: Our projects, as I think you pointed  
11       out, have sold very well, and a lot of it has to do with the  
12       market for this type of house. It's a buyer who is not  
13       interested in taking care of, maintaining a yard. So, as a  
14       result, we provide alternative outdoor private space. In this  
15       case, it's a roof deck. In other projects we've done, it's  
16       been rear decks off the alley. The roof deck provides the  
17       opportunity to provide somewhat more substantial outdoor  
18       recreation space.

19                      I think how the outside community perceives it, I  
20       think it's important to recognize that these are alleys, and  
21       alleys aren't always the most attractive part of the  
22       development or the block, and we do put a lot of the effort  
23       into the architecture of the spaces that are going to be most  
24       seen by the public.

25                      So, for the average person driving down South  
26       Carolina Avenue or Independence Avenue, or even into the site,

1       they will never see the alleys, the rears of the houses. And,  
2       actually by providing no rear yards here, it has freed up this  
3       space to provide a large amount of green space that's publicly  
4       visible instead of being hidden in the rears of the houses  
5       where the public can't see it, and we're still getting  
6       substantial recreation space upon the roofs of the houses.

7                   MR. McLAURIN: I'd like to add something. Again,  
8       my name is Jack McLaurin. Toby mentioned the attention paid to  
9       the architecture in the front of the houses, but I don't want  
10      that to imply that the alleys are ignored. They pay  
11      significant attention to the materials and the detailing in the  
12      alleys. And, as you can see, by Mr. Plumpe's presentation that  
13      the introduction of green space is very well received.

14                   COMMISSIONER MAY: What's the primary building  
15      material in the back side of the buildings?

16                   MR. McLAURIN: The building materials consist of a  
17      combination of horizontal siding and brick veneer, but the  
18      windows have detailed heads and sills. You know, it's not just  
19      ? I don't know if you're familiar with window trim, but it's  
20      not just a vinyl J-bead. I mean, it's actual either masonry  
21      heads or heads with, you know, colonial details, cross head  
22      features.

23                   COMMISSIONER MAY: Okay. Do you have relative  
24      percentages figured out, or is it an option for owners, or how  
25      is that going to work out?

26                   MR. McLAURIN: No, I think it's dangerous to have

1 options for owners because of the financial implications and  
2 you may end up with alleys that don't have any brick on them.

3 COMMISSIONER MAY: Right.

4 MR. McLAURIN: What they do do as a rule of thumb  
5 is all the end units that, you know, possibly have vistas in  
6 the alley, they will have brick on them. And, I don't want to  
7 throw out percentages for Toby, but it is a complementary  
8 percentage, certainly a little bit more on the horizontal  
9 siding, but you know.

10 COMMISSIONER MAY: Back to the rear yard question  
11 for a second. In the other projects that you have in the  
12 District, has there been a noticeable demographic effect? In  
13 other words, do you find fewer children or, I mean, is there  
14 some effect? Fewer elderly people who can't make their way up?  
15 I mean, what is the demographic effect?

16 MR. MILLMAN: It's hard to say what the effect  
17 is, relative to the actual buyer profile in the District in  
18 general. But, what we are finding is that most of the houses  
19 that are being purchased in the District are by single people  
20 or couples, usually professional couples, and empty nest type  
21 buyers, older buyers are buying. People who are making the  
22 decision to move back into the City.

23 One thing I think we noticed in this particular  
24 market was the local real estate broker did a survey as to when  
25 Capitol Hill residents were moving out of the neighborhood,  
26 they surveyed them as to why they were moving out, and the

1       number one reason was because they couldn't find a house large  
2       enough for their needs, and these houses that we are proposing  
3       are significantly larger than the typical house.

4               We hope that's an opportunity, not only for  
5       people to move into the District, but current Capitol Hill  
6       residents to stay in the neighborhood.

7               COMMISSIONER MAY: Okay. I have, let's see, one  
8       more architectural question. There are references in the  
9       materials that we received to continuing discussions with the  
10      Historic Preservation Office regarding the design effort, and  
11      I'm wondering what is still in play, or what's still being  
12      discussed at this point?

13              MR. MILLMAN: There's really one outstanding issue  
14      with Historic Preservation right now, and it's the  
15      architectural detail of the interior courtyard building.

16              They've given us direction that the architecture  
17      you saw today is in the right direction. They would like us to  
18      provide a little bit more in the way of variety and detailing,  
19      but they agreed that it's in the right family, that we're  
20      taking the cues properly from the school building, and that  
21      what you see here today should not be drastically different  
22      than what would be approved by the Historic Preservation Board.

23      We're hoping to go back before them for a final time in July.

24      They were actually waiting for this hearing today to kind of  
25      get feedback so that they weren't going too far ahead, and  
26      that's the last outstanding issue.

1                   COMMISSIONER MAY: Okay. I have one last question  
2                   and that relates to the traffic study, and the suggestion that  
3                   the problem on Independence Avenue could be alleviated or  
4                   reduced with a change in the timing?

5                   MR. MILLMAN: Yes.

6                   COMMISSIONER MAY: And, what I'm wondering is if  
7                   in the study, I have to admit I didn't study every intersection  
8                   there and I can't site them from memory. Did you also look at  
9                   14<sup>th</sup> Street, not at Independence but on the Massachusetts Avenue  
10                  side? Because, I suspect that that would be affected  
11                  significantly by a change in the timing.

12                  MR. WELLS: I did not look at that, nor am I  
13                  proposing any changes to any signal timing at that location.

14                  COMMISSIONER MAY: Where was the signal timing  
15                  change proposed?

16                  MR. WELLS: At Independence at 14<sup>th</sup> and at  
17                  Independence at Kentucky, but not at 14<sup>th</sup> and Massachusetts.

18                  COMMISSIONER MAY: But they're the same  
19                  intersection, 14<sup>th</sup> and Mass and 14<sup>th</sup> and Independence, it's the  
20                  same light. It's two lights. It's the same cycle.

21                  MR. WELLS: Yes. I looked at the impacts at the  
22                  closest location to the site at Independence. This is  
23                  something I suggested to the District, and it would require  
24                  some coordination with the signal folks.

25                  COMMISSIONER MAY: Yes.

26                  MR. WELLS: And, again, I'm not looking to change

1 the cycle length, but merely the green time allocation.

2 COMMISSIONER MAY: Yes.

3 MR. WELLS: And there is, I would note also,  
4 there's a ? because of that close location of the two  
5 intersections on 14<sup>th</sup>, there is a thirteen second all red phase.

6 Also, I'm not proposing to change that. That very long all  
7 red phase is required because of the close proximity to the two  
8 streets.

9 COMMISSIONER MAY: I think my only question is  
10 that if you're going to give the three seconds of green to  
11 Independence, the three seconds of green has to come from  
12 somewhere else. And if it's going to come from 14<sup>th</sup> at  
13 Independence, it also comes out of 14<sup>th</sup> and Mass. And without ?

14 MR. WELLS: Well, presumably, Massachusetts would  
15 get additional green time also. I'm very impressed with the  
16 difference in the traffic volumes. If you look at 14<sup>th</sup> Street,  
17 14<sup>th</sup> Street gets some 15 seconds. Independence gets 19 seconds  
18 of green time, yet Independence carries three to six times more  
19 traffic than does 14<sup>th</sup>.

20 COMMISSIONER MAY: Yes.

21 MR. WELLS: That implies to me that some tweaking,  
22 we're only talking about three seconds here.

23 COMMISSIONER MAY: Right.

24 MR. WELLS: That implies to me that some tweaking  
25 on that minor order would have very big benefits on  
26 Independence Avenue, and probably on Massachusetts Avenue as

1 well, although I will readily admit we did not look at the  
2 traffic volumes on Massachusetts.

3 COMMISSIONER MAY: Yes. I think my bigger concern  
4 is on 14<sup>th</sup> rather than Mass. There's a lot going on at that  
5 particular intersection.

6 MR. WELLS: Yes, I agree, and I'm respectful of  
7 the fact that these are interconnected, but if I could share  
8 with you specifically the existing volumes on 14<sup>th</sup> Street, or on  
9 the order in the PM peak hour which is the key hour, it's less  
10 than 200 trips, where you've got about 1200 trips on  
11 Independence Avenue. Yet, there's such a close balance of the  
12 amount of green time allocated to both of those streets. That  
13 seems to me to be an inefficient current signal timing.

14 Part of what the Department of Public Works does  
15 routinely, is they maintain the traffic signal system, and  
16 we're suggesting that they take a look at these timings to see  
17 if some efficiencies can be gained by re-allocating that green  
18 time.

19 COMMISSIONER MAY: Okay. Thank you.

20 CHAIRPERSON MITTEN: Anybody else? Mr. Parsons?

21 COMMISSIONER PARSONS: Yes. I have a couple  
22 questions. Mr. May covered many of mine and I appreciate that.  
23 Trying to figure out how we sort out the remaining details  
24 that you have with the Historic Preservation Office, so you  
25 don't get in a mess, where we've approved a set of plans and  
26 then you have to come back, and I think Mr. Feola can



1 appreciate that. It's very seldom we get a residential PUD  
2 with Historic Preservation tied into it.

3 So, how much more ? you say you're going back in  
4 July. How much more refinement do you see? I mean, I'm  
5 reading from their report of, I guess February is the last time  
6 you were back?

7 MR. MILLMAN: No, we were there in April.

8 COMMISSIONER PARSONS: Oh.

9 MR. MILLMAN: And they gave us virtually full  
10 approval except for the interior architecture that I mentioned.  
11 They told us that we were in the right direction. We were in  
12 the right family. They just wanted to see some more detailing  
13 variety on the interior architecture.

14 COMMISSIONER PARSONS: Within the school itself, I  
15 presume?

16 MR. MILLMAN: No, within the central courtyard  
17 architecture, the new buildings, the new town houses.

18 COMMISSIONER PARSONS: The interior of it?

19 MR. MILLMAN: No. No. When I say the interior, I  
20 mean the interior of the site. I'm sorry.

21 COMMISSIONER PARSONS: Oh, I wondered how they got  
22 into your bathroom.

23 MR. MILLMAN: The interior of the site around the  
24 courtyard.

25 COMMISSIONER PARSONS: I would agree. You're going  
26 to enrich that somehow?

1 MR. MILLMAN: Yes.

2 COMMISSIONER PARSONS: Yes, I would agree with  
3 that.

4 MR. MILLMAN: But the basically footprints and the  
5 layout configuration has been approved by Historic  
6 Preservation.

7 COMMISSIONER PARSONS: Okay, well I guess I  
8 shouldn't have been paying much attention to the February  
9 meeting. There seems to be a little bit difference in some of  
10 your plans, and the Studio 39 Group has what's called  
11 "specialty paving" on their drawings, and I don't see that  
12 being transformed onto the drawing.

13 Well, that's a good example, because on the ? if  
14 I'm reading the plan properly, the parking area, under that  
15 blue car, could be quite specific, should have specialty paving  
16 as I understand it. I'm not able to discern that on a sketch,  
17 but there is that same kind of pavement that's in the  
18 foreground underneath the cars?

19 MR. MILLMAN: Yes. It's not shown to be honest.  
20 We're in the process of preparing new drawings for this  
21 perspective for Historic Preservation. We did not update this  
22 drawing when we made the commitment to put specialty paving in  
23 the parking area. That was actually a request by the community  
24 to try to improve the paving surfaces on the interior of the  
25 site.

26 COMMISSIONER PARSONS: I would agree. So, we

1       should use Studio 39's rendering?

2                   MR. MILLMAN: Correct, the illustrative plan is  
3       accurate.

4                   COMMISSIONER PARSONS: I want to talk a little bit  
5       about the roof. Are there any covenants or conditions that  
6       would preclude people from expressing their own personality? I  
7       don't mean in their clothing. I'm not going there, but  
8       umbrellas, trees, twinkle lights? Are we really going to have  
9       the clean feel of those facades that you show here with any  
10      restrictions you're putting in the covenants of the  
11      condominium?

12                  MR. MILLMAN: Right now the restrictions that are  
13      contemplated, and these again were as a result of community  
14      input, were we were restricting access to the front portion of  
15      the roof deck, that it set back about eight feet, so items on  
16      the roof would be less visible. I know that the Office of  
17      Planning has asked that there be a condition that the  
18      decorative lights, Christmas-type lights, could not be  
19      installed, and we would accept that.

20                  You know, honestly, I think there's a limit as to  
21      what you can prevent. We're certainly open to preventing  
22      height of objects more than a certain height than people would  
23      deem acceptable, but as I say, we're open to any other  
24      potential restrictions, but they have not been given thought at  
25      this point.

26                  COMMISSIONER PARSONS: Now, there must be some

1 structural limitations to the size of tree boxes and those  
2 kinds of things that can be included, right?

3 MR. MILLMAN: I would imagine it would have.  
4 Eventually, there's a weight restriction.

5 COMMISSIONER PARSONS: Trees grow, et cetera.

6 MR. JOHNSON: If I could add one thing to that is  
7 that, and keep in mind you have to put them up there on the  
8 roof so they can not be too heavy, so it would have to be  
9 something that they would have to carry probably through the  
10 unit itself so there's a certain size. It has to go through  
11 the doorway. So, in the plant material, a lot of things could  
12 be done to Styrofoam blocks and the planters mitered and so  
13 forth.

14 COMMISSIONER PARSONS: I want to talk a little  
15 about the trellises.

16 MR. JOHNSON: Okay.

17 COMMISSIONER PARSONS: Are they your product?

18 MR. JOHNSON: Yes, with the architect's advice as  
19 well.

20 COMMISSIONER PARSONS: I think it's a real  
21 improvement because over in the southwest, I know, you didn't  
22 have that kind of an amenity ?

23 MR. JOHNSON: That's right.

24 COMMISSIONER PARSONS: ? and those alleys really  
25 concern me. But, the maintenance of those really can't be done  
26 on an individual basis, would you agree?

1                   MR. JOHNSON: That's true. I think it would have  
2           to be done by homeowner's association. I think it would make  
3           sense. That would be best. Is that right Toby?

4                   COMMISSIONER PARSONS: They're very important to  
5           this ?

6                   MR. JOHNSON: To the scheme of things.

7                   COMMISSIONER PARSONS: ? alleyscape, and it's so  
8           minuscule a point for us to deal with, but it's so important.  
9           I don't know how you can mandate that people don't fool with  
10          it. They're going to have professional maintenance on these  
11          things, or they're going to change it from Cleminis (phonetic)  
12          to Morning Glory because they like that, right?

13                  MR. JOHNSON: Precisely. I think the way we like  
14          to do this is being very selective in what we plant. Some of  
15          it would be evergreen vines. Some of them can grow there like  
16          the Jasmine and so forth, which is semi-evergreen in this area,  
17          and then as well some deciduous plant trees as well.

18                  Not all the arbors are the same thing on all the  
19          garages. Some go across the garage door. Some just go  
20          vertically just at the side of the garage door just to animate  
21          the space. I think with the maintenance issues themselves, I  
22          think that's something maybe the association does need to  
23          maintain, because I think that would definitely lend itself,  
24          because the alleyway itself is a jointly maintained surface, so  
25          maybe that gets put into that as well.

26                  COMMISSIONER PARSONS: Certainly, these will be

1 hit by automobiles on occasion. They need to be fixed  
2 immediately.

3 MR. JOHNSON: Yes, well the good part of it is  
4 that they'll be curbed so that will help to a degree, and we  
5 would put in a plant which is hardy definitely, so it would  
6 require minimum maintenance, and watering of course, different  
7 sun exposures is important. Some face south. Some face north.

8 We would definitely select a plant which would do the job so  
9 to speak and also insist on good planting soil mix. That's the  
10 thing I keep harping on. A good soil mix does it all, excuse  
11 me, goes a long way.

12 COMMISSIONER PARSONS: Keep pushing.

13 MR. JOHNSON: Right on.

14 COMMISSIONER PARSONS: Thank you. That's all I  
15 have.

16 MR. JOHNSON: Okay. Thank you.

17 CHAIRPERSON MITTEN: Thank you Mr. Parsons. Mr.  
18 Hannaham, did you have any questions?

19 COMMISSIONER HANNAHAM: No, I don't have any.

20 CHAIRPERSON MITTEN: Okay. I had just a few very  
21 minor questions, as it relates to this alley that's along the  
22 eastern side, and the individuals that have rights in the alley  
23 whether they're using them or not. The configuration, I think,  
24 that you're proposing is that the alley portion of the access  
25 will be controlled to be in to the site and the private portion  
26 would be out of the site, that you're going to actually control

1 the direction that people will travel, is that correct?

2 MR. MILLMAN: There won't be any controls. The  
3 way it functions today, is there is this existing 10-foot  
4 alley.

5 CHAIRPERSON MITTEN: Yes.

6 MR. MILLMAN: And, for all intents and purposes,  
7 that is the in and out for, as I said this one individual  
8 garage building. By widening it, it clearly provides a more  
9 generous area in access and egress to the site.

10 CHAIRPERSON MITTEN: And I understand that. I  
11 guess, what I'm just concerned about is that if, for instance,  
12 you were to paint arrows on the ground so that everybody is  
13 suddenly now going one way down the alley, and expecting that  
14 traffic will come out on private property.

15 So, if someone who has rights in the alley wants  
16 to go out the alley, even though all the traffic is being  
17 directed that that's one way into the site, I'm just concerned  
18 because I think it's very unusual that a public alley would be  
19 incorporated into a site this way, that the individuals that  
20 have rights in that alley would somehow be given easements to  
21 use the driveway to go out which would seem fair.

22 MR. MILLMAN: Sure, we can certainly provide  
23 access easements to the houses along there just to the private  
24 portion of the alley that connects to their ?

25 MR. FEOLA: Actually Madam Chair, you could do  
26 that as part of the PUD, if you chose to approve this, is just

1 to make it a condition of the PUD covenant that that portion of  
2 the private property that is alley on the east side of the  
3 property be accessible to any unit owners.

4 CHAIRPERSON MITTEN: Okay.

5 MR. MILLMAN: And we would accept that. It's  
6 something that's acceptable.

7 CHAIRPERSON MITTEN: Okay. And then this alley  
8 just caught my attention. On your landscaping plan which is  
9 Sheet #8, but maybe I'm supposed to use the new one. Do you  
10 have that handy?

11 MR. FEOLA: Maybe I should clarify that. The  
12 submission that was made two weeks ago are updated, upgraded  
13 plans that are the ones that we are proffering, if you will, as  
14 the final for your consideration.

15 CHAIRPERSON MITTEN: Okay, so what I'm looking at  
16 now would be the June 7, 2001 Studio 39 Overall Site Plan.  
17 And, it seems to show that there's a tree planted in the alley.  
18

19 MR. JOHNSON: That is correct on the east side of  
20 the alley itself. There is the ability to put trees that are  
21 outside ? I'm sorry, excuse me, that are farther away from the  
22 building facade. There is adequate room to do that. There's  
23 plenty of ?

24 CHAIRPERSON MITTEN: Let me make sure I know where  
25 you're talking about. Take your little light and flash it.

26 MR. JOHNSON: Okay. All these areas here, is it



1       this area you're speaking of?

2                   CHAIRPERSON MITTEN: Yes.

3                   MR. JOHNSON: There would be planting areas along  
4       each one of these doors in this area. There's actually a plan  
5       enlargement that's rendered that would probably be better to  
6       look at than this small site plan. We're getting that now. Go  
7       ahead.

8                   MR. McLAURIN: The width of the alley is separate  
9       from that planting strip. You have the 20-foot dimension for  
10      the alley. Outside of that is either an eighteen, excuse me,  
11      an eight-foot or an additional 14-foot driveway, you could call  
12      it, that's separated by green area. So, there's significant  
13      amount of room there.

14                  CHAIRPERSON MITTEN: That doesn't ? yes, it's that  
15      tree. That tree.

16                  MR. JOHNSON: That tree.

17                  CHAIRPERSON MITTEN: Isn't it in the alley?

18                  MR. JOHNSON: It is in the alley but it is also in  
19      a green space which is approximately four to five feet in width  
20      between the doorways themselves.

21                  CHAIRPERSON MITTEN: But it's on public property?

22                  MR. JOHNSON: Excuse me, it's not in the driveway.  
23      It's on the private.

24                  MR. MILLMAN: It is in the public alley.

25                  CHAIRPERSON MITTEN: Okay.

26                  MR. MILLMAN: We would I believe, correct me if

1 I'm wrong, we will have to get a public space permit for the  
2 materials?

3 MR. JOHNSON: That is correct, for that area.  
4 That's right.

5 MR. MILLMAN: It's not unlike the public space  
6 permit we would get for planting trees out in the right-of-way  
7 along South Carolina Avenue.

8 CHAIRPERSON MITTEN: And then you're going to have  
9 the specialty paving there?

10 MR. JOHNSON: Yes, right now it's shown as  
11 concrete.

12 MR. MILLMAN: A concrete apron, right.

13 CHAIRPERSON MITTEN: And so, whatever it is,  
14 different things, so people are going to think "oh, this is  
15 where I'm supposed to park?"

16 MR. MILLMAN: That is correct. It's going to  
17 delineate the alley travel way. So, therefore, there would be  
18 adequate room to circulate in there.

19 CHAIRPERSON MITTEN: But people are going to park  
20 on the public alley? Is that right? They're going to be led  
21 to believe that that's what they should do because you're going  
22 to pave it that way?

23 MR. MILLMAN: No, I think the alley line is ?

24 MR. McLAURIN: No, it is. That's right. The  
25 alley does hammer head right here.

26 CHAIRPERSON MITTEN: Right.

1                   MR. MILLMAN: And so there is a portion of the  
2 alley that we will be converting over to essentially the  
3 driveway for the rear entry of the town houses there.

4                   CHAIRPERSON MITTEN: I guess I'm just kind of  
5 uncomfortable with that because, you know, there's lots of  
6 areas all throughout the City where people kind of co-op the  
7 alley behind their house when it's public property. And, I  
8 guess I don't want the Commission to be responsible for  
9 condoning that, when everywhere else in the City it's illegal.

10                  MR. MILLMAN: I'm going to defer to counsel here,  
11 to Phil here, if we're going to have to go through the public  
12 space permit process on this, and if there's going to be a sort  
13 of a secondary review or whether this is appropriate.

14                  MR. FEOLA: Yes, I guess, Madam Chair, I would  
15 equate use of this public space to, you know, a curb cut across  
16 public space or the use of virtually every front yard in  
17 Capitol Hill which is public space but is used as private  
18 space. If you have a permit to do it, you have permission to  
19 do it, it's not illegal.

20                  I think the conditions you're suggesting are real  
21 alleys that people just pull over and use as their private  
22 property. This would require a permit, and if it's turned  
23 down, we couldn't put that tree there or build that driveway  
24 pad into the unit.

25                  CHAIRPERSON MITTEN: Okay, so there would be a  
26 public space permit sought for two parking spaces and a tree?

1 MR. FEOLA: And whatever else is there.

2 CHAIRPERSON MITTEN: Okay.

3 MR. FEOLA: And by the way, the front yards on  
4 South Carolina which are also in public space as well, just  
5 like the rest of the properties ?

6 CHAIRPERSON MITTEN: So, it will be reviewed?

7 MR. FEOLA: By the DC Public Space Committee,  
8 that's correct.

9 CHAIRPERSON MITTEN: Fine.

10 COMMISSIONER PARSONS: Can I interrupt?

11 CHAIRPERSON MITTEN: Sure.

12 COMMISSIONER PARSONS: Maybe we ought to put some  
13 flexibility into our Order so they don't have to come back here  
14 if that doesn't happen.

15 CHAIRPERSON MITTEN: Sure. I think we can, and  
16 you have not counted those spaces in your count, right?

17 (No audible response.)

18 CHAIRPERSON MITTEN: I guess I would just like to  
19 weigh in, not expecting a reply necessarily, but just to weigh  
20 in on the issue that Mr. May raised about the lack of rear  
21 yards.

22 And there's a special concern, and I'm not  
23 suggesting that the Zoning Ordinance doesn't need to evolve.  
24 But, for theoretical lot developments, there's sort of a  
25 special concern there for having adequate green space, because  
26 when dwellings don't otherwise face on a public street in a

1       theoretical lot development, you have to have a front yard  
2       that's equal in size to whatever rear yard would be required,  
3       as well as the rear yard.

4               So, you know, we have this ? we're going to have  
5       to, you know, resolve in our minds that this is appropriate  
6       because there's a lot of ? there has, at least historically  
7       been guidance that, if you're going to have a project of this  
8       type, that green space and private green space is important.  
9       And, not to say that we're not open to new concepts, but that  
10      is something that we need to resolve.

11             And then one final thing that would be helpful to  
12      me is, you know, in design, when you have review by the  
13      Historic Preservation Review Board and you're offering design  
14      as an amenity in the PUD, when things are considered to be  
15      amenities, it has to be above and beyond what would be provided  
16      by right.

17             So, if there could be some discussion, an  
18      additional submission that would sort of sort that out for us,  
19      that here's how you're going above and beyond what would be  
20      required as a matter of right or what would be required by  
21      HPRB. Because we have to count what's above and beyond the  
22      minimum as the amenity, and the good design would be required  
23      for this site, a certain element of it would be required,  
24      because it has to go through HPRB. Do you understand what I'm  
25      asking for? Great.

26             If there are no other questions from the

1 Commissioners ?

2 COMMISSIONER PARSONS: I want to better understand  
3 what you just said.

4 CHAIRPERSON MITTEN: All right.

5 COMMISSIONER PARSONS: It almost sounded as though  
6 you felt that the amenities they have negotiated out with the  
7 Historic Preservation Review Board should not be considered by  
8 this Commission. I don't mean the amenities to the community.

9 CHAIRPERSON MITTEN: Right.

10 COMMISSIONER PARSONS: The design amenities that  
11 have been negotiated, exacted, whatever from another panel,  
12 shouldn't be considered by us?

13 CHAIRPERSON MITTEN: No, I didn't mean to say  
14 that.

15 COMMISSIONER PARSONS: Oh.

16 CHAIRPERSON MITTEN: But, here's ? let me just  
17 quote the section that I'm concerned with. "Public benefits  
18 are superior" ? this is in Chapter 24 ? "public benefits are  
19 superior features of a proposed planned unit development that  
20 benefit the surrounding neighborhood or the public in general  
21 to a significantly greater extent than would likely result from  
22 the development of the site under the matter-of-right  
23 provisions of this title."

24 So, in a situation, not to say that they haven't  
25 gone above and beyond and that HPRB hasn't participated in  
26 getting them there, but I just want to understand sort of

1       where's the baseline in a historic district to meet what would  
2       be required under a matter-of-right, and how have they gone  
3       beyond that.

4                   COMMISSIONER PARSONS: Thanks, I misunderstood.

5                   CHAIRPERSON MITTEN: I probably didn't say it very  
6       well. Let me ask, I see Mr. Simon is here representing ANC-6B.  
7       Did you have any cross-examination for the applicant?

8                   MR. SIMON: No cross.

9                   CHAIRPERSON MITTEN: And then representing Bryan  
10      School Neighborhood Association, any cross-examination?

11                  MR. VANDENTORN: No, I don't.

12                  CHAIRPERSON MITTEN: Thank you.

13                  VICE CHAIRPERSON HOOD: Madam Chair, may I just  
14      interrupt right quick.

15                  CHAIRPERSON MITTEN: Okay.

16                  VICE CHAIRPERSON HOOD: I just want to say that,  
17      I'm sitting here thinking about it, I know I went over it  
18      lightly, that public private alley is bothering me. It's  
19      really bothering me, and I'll tell you why, because when repair  
20      time comes who's going to repair it, and that's going to be an  
21      issue. I think we need to know that out front. I'm not sure  
22      how we can handle it, but I can assure you that I will be  
23      bringing that back up. So, thank you.

24                  CHAIRPERSON MITTEN: Thank you. Now we'll move to  
25      the report by the Office of Planning.

26                  MS. BROWN-ROBERTS: Good evening, Madam Chairman

1 and members of the Commission. My name is Maxine Brown-Roberts  
2 from the Office of Planning.

3 The Office of Planning supports the proposed  
4 rezoning from the R-4 Zone to the R-5-B in the PUD. The Office  
5 of Planning believes the application has great merit. The  
6 development of the site utilizing the PUD process and the  
7 proposed Zoning Map Amendment will facilitate the restoration  
8 of an old school building that is reused for condominium units.

9 The PUD process has allowed the applicant to propose a  
10 residential development whose design, architecture, and site  
11 planning are complementary to the historic site as well as the  
12 historic district.

13 Through the flexibility of the PUD process, the  
14 design of the project is able to achieve a development that  
15 provides a mixture of housing types and sizes to facilitate a  
16 diversified community that may not be possible on a matter-of-  
17 right development.

18 The application is providing benefits to the  
19 community in relation to the flexibility requested. The  
20 restoration of the historic building will be of benefit to the  
21 community, and will remove a large vacant building from the  
22 middle of the neighborhood contributing to the revitalization  
23 of the neighborhood.

24 The proposed parking exceeds the matter-of-right  
25 standards, usable, open and landscaped spaces being  
26 incorporated into design to lessen the air of pavement, and



1 will greatly reduce the amount of run-off from the site.

2 It is anticipated that the new opportunities for  
3 home ownership will keep and encourage families to remain in  
4 the District and provide opportunities for families to move  
5 into the District and with increased property and income taxes  
6 will result.

7 The applicant is also providing donations to  
8 three organizations to help to improve the community facilities  
9 which would also benefit residents of the new development.

10 The proposal is consistent with the  
11 recommendation of the Comprehensive Plan, in that it fulfills  
12 the recommendation of the land use element. The new  
13 development significantly advances social and economic  
14 development of the District through the creation of a quality  
15 residential development.

16 Further, the proposal complies with the major  
17 themes of the Comprehensive Plan, in that it stabilizes the  
18 Capitol Hill neighborhood with the restoration reuse of the old  
19 school building, improving the physical craft of the  
20 neighborhood, preserving and insuring community input and  
21 preserving the historic character of the neighborhood.

22 The proposed project is consistent with the  
23 generalized land use map that designates the property from  
24 moderate density residential use. This land use category is  
25 for row houses and garden apartments with low density housing.

26 The proposed development is supported by a number

1 of objectives and policies in the Ward Six Plan, such as the  
2 provision of incentives for in-fill housing constructed in an  
3 architectural style, and mature, compatible with that  
4 predominant in the neighborhood.

5 Provision of new housing through the conversion  
6 of appropriate non-residential structures that have outlived  
7 their current use, such as the schools, the maintenance of a  
8 general level of existing residential use, densities, and  
9 heights and to improve the physical condition of functional,  
10 efficient and attractive residential uses and open space areas.

11 There has been some concern with the internal  
12 town houses that have a campus-style appearance and appear to  
13 be compatible to the historic school building. The Historic  
14 Preservation Division, HPRB, and the Office of Planning do not  
15 believe that the intended architecture has been achieved. Both  
16 HPD and the Office of Planning have suggested to the applicant  
17 the design may be improved by the use of a variety in colors,  
18 window treatments and window sizes.

19 Historic Preservation Division and Office of  
20 Planning will continue to work with the applicant on a design  
21 that will complement the historic building and also give some  
22 individuality to the units.

23 The applicant has worked with the community to  
24 come to a consensus on the issue of parking and traffic impact  
25 and density. The applicant has also worked with the community  
26 and has redesigned the site plan and reduced the number of

1 units from its original proposal.

2 The Office of Planning supports the new design  
3 and the 38 town house uses. The Office has also had comments  
4 from the Police Department, the Fire and Emergency, Medical  
5 Services, schools, which all support the proposal. The  
6 Division of Transportation has reviewed the application and  
7 supports the circulation parking plan. In order to minimize  
8 parking on the street, we recommend that a condition be added  
9 to prevent the conversion of garages to storage off living  
10 areas.

11 The Tree and Landscape Division has also recommended that the  
12 preservation of existing street trees.

13 The Office of Planning vigorously supports the  
14 proposed rezoning and PUD, and recommends that the request be  
15 approved with the following conditions:

16 Add a provision to the homeowner's association  
17 covenants to prohibit the conversion of garages to living or  
18 garage spaces;

19 Add a provision to the homeowner's association  
20 covenants prohibiting the use of decorative lights on the roof  
21 terraces that can be viewed from the roadway or adjacent  
22 properties;

23 Retain all street trees except for those that are  
24 dying or diseased, in which case they should be replaced;

25 Continue to work with the staff of the Historic  
26 Preservation Division to modify the architecture of the

1 internal town house units and the restoration of the Bryan West  
2 Building;

3 Provide \$82,000 for the community amenities to be  
4 shared as follows: \$55,000 to the Payne Elementary School,  
5 \$15,000 to the Computer Corner; \$12,000 to the Friends of  
6 Lincoln Park. These contributions should be made prior to the  
7 occupancy of the first unit.

8 Thank you Madam Chairman.

9 CHAIRPERSON MITTEN: Thank you Ms. Roberts. Any  
10 questions for the Office of Planning? Any questions Mr. Feola?

11 MR. FEOLA: No, Madam Chair.

12 CHAIRPERSON MITTEN: Any questions Mr. Simon?

13 MR. SIMON: No, Madam Chair.

14 CHAIRPERSON MITTEN: Any questions from the Bryan  
15 School Neighborhood Association?

16 (No audible response.)

17 CHAIRPERSON MITTEN: Thank you. I think Ms.  
18 Roberts mentioned the reports of other public agencies that  
19 we've received, Fire and Emergency Medical Services Department,  
20 DC Public Schools, Office of Facilities Management, DPW,  
21 Department of Transportation. Any other reports by public  
22 agencies?

23 All right. We'll now have the report by ANC-6B.

24

25 MR. SIMON: Thank you, Madam Chair and members of  
26 the Commission. I believe you may have a copy of our letter

1 and report.

2 CHAIRPERSON MITTEN: We do.

3 MR. SIMON: As Mr. Millman said, the ANC has been  
4 in long conversation with ?

5 CHAIRPERSON MITTEN: Could you please identify  
6 yourself for the record.

7 MR. SIMON: I'm sorry. Thank you. My name is  
8 Gottlieb Simon, Executive Director for Advisory Neighborhood  
9 Commission 6B, on whose behalf I'm speaking this evening.

10 I was just going to say that the ANC has, indeed,  
11 been in conversation with Mr. Millman and his firm for a long  
12 time, and if this process were to continue, we would be  
13 selecting a name plate for him around our table. The Commission  
14 on these various occasions has indicated its support for the  
15 reuse of Bryan School, and for a less dense lower development  
16 and a greener one.

17 At our last meeting, Mr. Millman said he had gone  
18 as far as he could, and the ANC accepted that and voted to  
19 support 11-0 this proposal with the following conditions:

20 The first condition is that there should be a  
21 prohibition against the conversion of the garages to  
22 residential uses. I think you'll find that that's a consensus  
23 position.

24 Clearly, the advantage of having a garage would  
25 be lost in terms of its ability to mitigate the parking  
26 problems if that garage was going to be used for some purpose

1       other than putting those cars.

2                   And, I suppose I might also say parenthetically  
3       that we have been having additional conversations about the  
4       parking standard, and it may very well be that we should all  
5       talk about whether or not the current regulations with regard  
6       to the number of parking spaces are consistent with current  
7       practice and behavior, and SUV design and all the rest of it.

8                   The second concern by the Commission was that the  
9       Commission should approve an amenity package that would be  
10      funded by a contribution from the developer equal to a  
11      percentage of the total cost of the project, which percentage  
12      the Commission would identify.

13                  The ANC was concerned about selecting a number  
14      arbitrarily. On the one hand, we didn't want to propose a  
15      number which would be unrealistic or unreliable, one that  
16      couldn't be met. And, on the other hand, we didn't want to  
17      suggest a number that would be shortchanging the community.  
18      So, we suggested that we would turn that job of finding the  
19      right number over to the Commission.

20                  And, I would also like to parenthetically mention  
21      that we appreciate very much the progress that the Office of  
22      Zoning and the Commission are making with regard to digitizing  
23      your records. The web site that's available now makes it much  
24      easier for the community to follow things. I say that because  
25      we were attempting to identify what other amenity packages the  
26      Commission has approved, residential PUD's that we could use as

1 a baseline, as a comparison.

2 Unfortunately, despite the progress that's being  
3 made in searching the records of the Commission online, we're  
4 not quite ready there and we would encourage you to continue  
5 building upon the foundation that you have now usefully set for  
6 us.

7 We would also propose that once the dollar number  
8 had been set, that the community amenity package would be  
9 selected by a committee composed of community representatives  
10 and the developer. That EYA should actively solicit proposals  
11 from citizens and community organizations residing in or  
12 located near the Capitol community, and that preference should  
13 be given by the Commission, by the ANC and all other bodies  
14 involved in the selection of the public amenity, to amenities  
15 located in the Capitol community area.

16 You will be hearing and have heard, actually  
17 already, that there has been negotiations between community  
18 representatives and the developer with regard to a package.  
19 That package was developed after the last ANC meeting, so the  
20 Commission has not had the opportunity to take a formal action.

21 However, the Chair of the ANC would like me to indicate to you  
22 that he regards the consensus that's developed as fully  
23 consistent with our report tonight.

24 Thank you very much.

25 CHAIRPERSON MITTEN: Thank you Mr. Simon. Any  
26 questions for Mr. Simon? Mr. Feola, any questions?

1 MR. FEOLA: No ma'am.

2 CHAIRPERSON MITTEN: Any questions from the Bryan?

3 MR. VANDENTORN: No ma'am.

4 CHAIRPERSON MITTEN: Great. Thanks for coming.

5 MR. SIMON: Thank you again.

6 CHAIRPERSON MITTEN: We will now have parties in  
7 support. The Bryan School Neighborhood Association.

8 MR. VANDENTORN: I have some copies.

9 CHAIRPERSON MITTEN: Would you give them to staff,  
10 please? And, if you could limit your presentation to fifteen  
11 minutes?

12 MR. VANDENTORN: Yes.

13 CHAIRPERSON MITTEN: Great.

14 MR. VANDENTORN: Madam Chairperson and members of  
15 the Commission, my name is Bill Vandentorn. I am on the Board  
16 of the Bryan School Neighborhood Association, and also serve as  
17 Treasurer. We're happy to participate this evening in this  
18 presentation, and we requested party status, and we would like  
19 to speak in strong support of this PUD proposal.

20 The BSNA is a community-based organization of  
21 approximately 600 residents who live in the neighborhood  
22 surrounding the Bryan School. Since 1995, the BSNA has fought  
23 to insure a long-term community-friendly use for the Bryan  
24 School site.

25 Over the past three years, BSNA has been working  
26 with the Eakin Youngentob Associates on their proposed



1 development for the Bryan School property. We had worked  
2 together most intensively in the last year, following the  
3 first presentation of the initial site plan.

4 Eakin Youngentob presented its initial plans, as  
5 I said, at a public meeting in September, 2000, a large public  
6 meeting in the Bryan School community. At that meeting, the  
7 developer heard many issues that the community raised with  
8 respect to development, including concerns about open space,  
9 parking, and the height of the proposed town houses.

10 We're pleased to say that Eakin Youngentob has  
11 made a good faith effort, in our judgment, to listen to and  
12 address the community's concerns by revising and improving upon  
13 the initial proposal.

14 At a meeting with our Board on December 12, last  
15 year, Eakin Youngentob shared a revised site plan, which  
16 addressed many of the concerns of the neighborhood. BSNA met  
17 again with Eakin Youngentob on January 31, 2001 for a briefing  
18 on the current proposed site plan. Since then, BSNA has  
19 supported the development concept through testimony at the  
20 Historic Preservation Review Board Hearing. Most recently,  
21 BSNA has led a coalition of community organizations to develop  
22 an appropriate community amenity, which we've heard discussed  
23 here this evening.

24 In response to the BSNA and other organizations,  
25 and as I want to emphasize that it hasn't just been the Bryan  
26 School Neighborhood Association that's been involved in this

1 long review process, but also the Capitol Restoration Society,  
2 groups to the east of the site, and as you just heard ANC-6B.

3 In response to the BSNA, these other  
4 organizations, and many individual members of the community,  
5 Eakin Youngentob has addressed community issues, such as  
6 density. There was concern that the proposed development was  
7 simply too dense, resulting in a lack of open space to  
8 facilitate community interaction. The revised plan, calling  
9 for 38 town homes and 38 condo units that the company has put  
10 before you today, significantly addresses this concern.

11 The town house height: Original concerns that  
12 the structures were inappropriately high have been generally  
13 addressed, as Eakin Youngentob has worked with the community to  
14 address this concern by reducing the height of many structures,  
15 those structures on South Carolina and Independence Avenue, and  
16 taking other steps to harmonize the buildings with the  
17 surrounding structures.

18 Parking: Concern regarding the adverse impact on  
19 parking of adding housing units to the Bryan School  
20 Neighborhood is universal. Eakin Youngentob's new plan  
21 provides a total of 115 on-site parking spaces; 76 spaces in  
22 the town house garages, and 39 surface spaces. We feel Eakin  
23 Youngentob has listened to the BSNA's concerns in this regard  
24 and has proposed a plan which maximizes green space, while  
25 allowing for as much parking as feasible.

26 As a result of the positive changes that Eakin

1       Youngentob has made to its proposal, and its demonstrated  
2       commitment to working with the community, the BSNA has been  
3       pleased to endorse this PUD proposal.

4               We do ask, however, that the Zoning Commission  
5       include certain restrictions in the final Order, and we  
6       associate the association with also those restrictions  
7       recommended by the Capitol Hill Restoration Society.

8               The town houses shall be used as single family  
9       dwellings. Conversion of garages to a habitable room or rooms  
10      would be prohibited. Public access to the development shall  
11      not be restricted. In other words, no "gated community" and  
12      umbrellas and other equipment shall be confined to the deck  
13      area so as not to be visible from the street.

14              The BSNA is also pleased to support the public  
15      amenity, which as I say, has already been discussed, totaling  
16      \$82,000 and comprising grants of \$40,000 to the Payne School  
17      for air-conditioning and a service contract, \$15,000 for the  
18      improvement of the school library, \$12,000 for the Friends of  
19      Lincoln Park for the purchase of playground equipment. This is  
20      a contribution towards their fund-raising goal. And, \$15,000  
21      for the computer center, especially for the beautification of  
22      the exterior and surrounding streetscape.

23              This amenity, which will benefit a wide spectrum  
24      of Capitol Hill and Capitol east people and institutions,  
25      represents in our view an important contribution by Eakin  
26      Youngentob to the Bryan School Neighborhood, and one that is

1 responsive to desires of our membership as broadly expressed at  
2 our public meeting on May 10<sup>th</sup>.

3 The BSNA also takes note of Eakin Youngentob's  
4 offer of informal assistance to the community for efforts  
5 including the use of provisions of DC Law 13-281, the abatement  
6 and condemnation of nuisance properties on this Amendment Act  
7 of 2000, to bring about renovation and/or redevelopment of  
8 1453-1455 South Carolina Avenue, S.E., known as Pierce Grill  
9 and/or 284 15<sup>th</sup> Street, the so-called abandoned gas station.

10 In sum, the Bryan School Neighborhood Association  
11 urges the Zoning Commission to approve the proposed PUD. We  
12 further recommend that the proposal be accomplished at this  
13 meeting. Eakin Youngentob has proven to be willing to work  
14 with the community on issues of concern, thus we are not  
15 convinced that further review of these issues would be  
16 necessary or desirable.

17 That concludes my statement, Madam Chairman and  
18 members of the Commission. I want to thank you for your  
19 attention.

20 CHAIRPERSON MITTEN: Thank you Mr. Vandentorn.  
21 Any questions? Mr. Feola?

22 MR. FEOLA: No ma'am.

23 CHAIRPERSON MITTEN: Mr. Simon?

24 (No audible response.)

25 CHAIRPERSON MITTEN: Thank you very much.

26 MR. VANDENTORN: Thank you, ma'am.

1                   CHAIRPERSON MITTEN: Are there any persons present  
2                   that would like to testify in support of this application? I  
3                   think all four of you can come forward at the same time and  
4                   share the tables there. Let's just go from my left to right  
5                   and begin with you sir.

6                   MR. HARDY: My name is Tom Hardy. I live in the  
7                   1300 block of North Carolina Avenue, and this is the first time  
8                   I've ever been to a District meeting like this.

9                   CHAIRPERSON MITTEN: Well, and let me give you  
10                  fair warning, you have three minutes.

11                  MR. HARDY: All right.

12                  CHAIRPERSON MITTEN: I should have told you that  
13                  before the clock started.

14                  MR. HARDY: Well, I'm a native Washingtonian. I  
15                  was born on Capitol Hill in the Old Providence Hospital. I  
16                  went to Holy Comforter School just a few blocks from this  
17                  neighborhood.

18                  My father's first house was on North Carolina  
19                  Avenue, right across the street from where I live, and my  
20                  grandmother's house was 1336 South Carolina Avenue, which was  
21                  knocked down when they enlarged the parking lot. And for the  
22                  first 18 years of my life, I spent every Saturday and Sunday at  
23                  that house.

24                  So, the idea that they are going to reconstruct  
25                  1336 in a style very consonant with the original design is just  
26                  a joy to me. My grandparents lived there. My father and his

1 three sisters lived there. We have pictures. I've shown Eakin  
2 Youngentob both these photographs, showing the original row of  
3 houses.

4 It seems to me this not only is going to bring  
5 new life to Capitol Hill, but it is going to make Pierre  
6 Lonfonte (phonetic) happy, not just the Hardy family, but it's  
7 going to consider a serious improvement of Capitol Hill, which  
8 should be a beautiful neighborhood.

9 When I was a kid, 59 years ago, I walked to  
10 Eastern Market every Saturday. It gives me great joy to see  
11 the whole neighborhood come back and be open and a glorious  
12 place to live, so I'm all in favor of the Eakin Youngentob  
13 proposal. I think it will be a wonderful benefit.

14 CHAIRPERSON MITTEN: Thank you Mr. Hardy.

15 MR. HARDY: Thank you.

16 MS. McMILLAN: My name is Sheila McMillan and I  
17 actually live west of the project on 11<sup>th</sup> Street N.E. in between  
18 Constitution Avenue and East Capitol. I'm here representing  
19 the Friends of Lincoln Park, the neighborhood organization that  
20 they've named in the community amenity.

21 I have to commend Eakin Youngentob for actually  
22 including our organization in their discussions on the Bryan  
23 School Project altogether. It's very rare that in a Capitol  
24 Hill neighborhood where there can be such divisive areas of the  
25 hill that they would include us in some of their discussions on  
26 how they might best benefit the community.

1                   As you can see, Lincoln Park is located right in  
2           the center, pretty much, at least I believe of Capitol Hill,  
3           and it really serves about a ten-block radius in north, south,  
4           east and west of Capitol Hill.

5                   We do believe that the green space, that I think  
6           Mr. May was talking about with the backyard space, that Capitol  
7           Hill is the true ground for people looking for outdoor  
8           activity, outdoor space, and I commend Eakin Youngentob again  
9           for actually donating some money to us so that we can redo the  
10          playground structure there.

11                  When you mentioned the demographic, I think that  
12          there are families like myself. We just bought two years ago.

13          We have one child, another on the way, and we don't have any  
14          backyard space to speak of. We have a small deck in the back  
15          and Lincoln Park is truly where we meet all of our neighbors,  
16          where we meet our friends, and where our children can gather  
17          together from all areas of the neighborhood and see each other  
18          and see children that they are going to go to school with and  
19          grow up with.

20                  It's been a great experience working with them.  
21          We completely agree that the project is going to bring life to  
22          the community, and I hope that it's approved today.

23                  CHAIRPERSON MITTEN: Thank you Ms. McMillan.

24                  CHAIRPERSON MITTEN: Sir?

25                  MR. McMILLION: I'm Charles McMillion.

26                  CHAIRPERSON MITTEN: You need to turn on your

1 microphone first.

2 MR. McMILLION: I'm Charles McMillion, not  
3 related, here representing the Capitol Hill Restoration Society  
4 today, and I apologize for the casual dress. I was, because of  
5 an illness, I was pulled out of another meeting to come tonight  
6 because the Society felt it's so important that we come to  
7 voice our strong support for this proposal.

8 I do have testimony. I'd like to have the  
9 testimony submitted for the record in its entirety if I might.

10 CHAIRPERSON MITTEN: Thank you.

11 Mr. McMILLION: And, in my two minutes left, I'd  
12 like to just say that we strongly support this project, and we  
13 urge that the Commission approve the project without further  
14 review, but we do suggest four conditions.

15 During numerous meetings with the community and  
16 community organizations, a number of concerns were raised. We  
17 recommend that the Commission consider attaching the following  
18 conditions:

19 First, the town houses shall be used only as a  
20 one-family dwelling. Flats are permitted in the R-4 Zone and  
21 it should be clear the town houses in this development can not  
22 be developed into flats, thus intolerably increasing the  
23 density.

24 Second, conversion of garages into a habitable  
25 room or rooms is prohibited. Of all issues discussed in  
26 community meetings concern that the development would worsen



1       parking problems was one of the most prominent. We are too  
2       well aware that first floor garages tend to be used as family  
3       rooms, dens, and spare bedrooms. If that practice is allowed,  
4       the parking situation in the surrounding neighborhood would  
5       worsen.

6                Thirdly, public access to the development shall  
7       not be restricted. An early concern was that this development  
8       might become a gated community. This would be foreign to  
9       Capitol Hill, and we think that a specific prohibition would  
10      allay this concern.

11              And finally, umbrellas and other equipment shall  
12      be confined to the roof deck areas. During Historic  
13      Preservation Review, there was much concern with sidelines to  
14      assure that deck areas would not be visible from the street.  
15      Moving umbrellas and other equipment forward from the deck area  
16      will defeat those carefully designed arrangements.

17              But with these conditions, we strongly support  
18      this proposal, and we thank you.

19              CHAIRPERSON MITTEN: Thank you Mr. McMillion and  
20      we're glad you could join us tonight.

21              Sir?

22              MR. MYERS: Hi, my name is Jim Myers. I live at  
23      1418 C Street, S.E., right across the street from the front  
24      door of Payne Elementary School, and about a block and a bit  
25      away from this proposed development at the Bryan School site.

26              Myself and my neighbors are very pleased that

1       there has been a residential solution to the problem of what  
2       they were going to do with that school site. We want to  
3       underscore the residential nature of our neighborhoods, and I  
4       personally believe that this particular development is going to  
5       have a positive influence far to the east, to the streets to  
6       the east, including some very troubled blocks in that part of  
7       Capitol Hill.

8                   I would also like to point out that the neighbors  
9       have had a great deal of time and opportunity to interact with  
10      the developers and to share views, including most recently on  
11      the selection of the public amenity recipients. I'm thrilled  
12      that some substantial improvements will go to Payne School, and  
13      not just because it's across the street from where I live, but  
14      because I think it's the right thing to do.

15                   And so, in sum, I would say myself and all the  
16      neighbors that I know are very, very, very excited to see this  
17      project go forward. Thank you.

18                   CHAIRPERSON MITTEN: Thank you, Mr. Myers. Any  
19      questions for Mr. Myers? Any questions Mr. Feola?

20                   MR. FEOLA: No questions.

21                   CHAIRPERSON MITTEN: Any questions? Thank you all  
22      for coming. Any other persons who would like to testify in  
23      support?

24                   All right. Then, we'll move to persons in  
25      opposition. Please come forward, and anyone else who would  
26      like to testify in opposition could come forward at this time.

1                   Just turn on the microphone and identify yourself  
2                   for the record. You just push the button. There you go.

3                   MS. BADER: Hi. Thank you, Madam Chair. My name  
4                   is Caroline Bader.

5                   CHAIRPERSON MITTEN: Could you pull the mike just  
6                   a little bit closer to you and we'll pick you up a little bit  
7                   better.

8                   MS. BADER: Yes. I live at 1362 Independence  
9                   Avenue, S.E., right across the street from the Bryan Elementary  
10                  School, and I just have a brief statement that I would like to  
11                  read.

12                 At the Bryan School, a generous donor gave  
13                 \$20,000 which will permit transformation of an area from weeds  
14                 and hardpan to an attractive plaza with shade arbor, spray  
15                 pool, trees, game tables, and a drinking fountain. This  
16                 statement is contained in a report to the President from the  
17                 First Lady's Committee for a More Beautiful Capitol. Claudia  
18                 Anderson, an archivist with the LBJ Library is going to send me  
19                 a copy of the report.

20                 Before the park is demolished by Eakin  
21                 Youngentob, the ownership and control of the park needs to be  
22                 clarified. Further, the questions of covenants and historical  
23                 status need to be answered before the Zoning Commission votes  
24                 on the merits of this development. Please refer to Sheet 18 of  
25                 33 of the demolition plan.

26                 Also, the National Park Service is now starting

1 to catalog all those parks that were involved in Mrs. Johnson's  
2 Beautification Project. They said that these parks are now  
3 reaching historical status, and when I called them, they didn't  
4 have a lot of information but they are now starting the process  
5 of cataloging the parks.

6 Thank you.

7 CHAIRPERSON MITTEN: Thank you for calling that to  
8 our attention. Let me just see if any of the Commissioners  
9 have a question for you? Any questions?

10 COMMISSIONER PARSONS: I do. I'm looking at Sheet  
11 18 of 33, and I'm not following you.

12 MS. BADER: The demolition plan?

13 COMMISSIONER PARSONS: Yes. It's pretty ?

14 CHAIRPERSON MITTEN: Perhaps the applicant could  
15 lend you his copy so that ?

16 COMMISSIONER PARSONS: So that park is, or  
17 improvement is not identified on this drawing. Now that you  
18 have, it is a rectangular shape in the lower right corner.

19 MS. BADER: That's correct.

20 COMMISSIONER PARSONS: Now, that would seem to be  
21 outside the site plan that we're looking at.

22 MS. BADER: That's correct. It's in the public  
23 space. It's in the public space between the property line of  
24 the school and the street, and the sidewalk actually.

25 COMMISSIONER PARSONS: Well, maybe we can get some  
26 clarification from the team here.

1                   MR. MILLMAN: I believe the space that's being  
2           discussed is, as Mr. Feola is indicating, between South  
3           Carolina Avenue and the property line.

4                   I do believe we showed you an image of that  
5           space. It's a hard scape plaza, concrete plaza that was  
6           installed in the 1960's as an amenity I guess at that time.

7                   It has fallen into severe disrepair and, as I  
8           mentioned, it has become a breeding ground for mosquitos with  
9           water collecting in the sunken plaza. We had not heard any  
10          significant concern about the removal of that concrete plaza  
11          and the conversion of it back to green space as it had been in  
12          the 50's.

13                  It would just be, it would remain public space,  
14          but the appearance of it would be changed from a concrete plaza  
15          to the green front yards of the houses on South Carolina  
16          Avenue.

17                  It is our understanding, we had looked into it,  
18          that this particular plaza is maintained by the Department of  
19          Public Works just as a sidewalk. It is in the public space,  
20          and in fact, when there were problems with the drainage of the  
21          property, neighbors were complaining that mosquitos were  
22          breeding there, Council Member Ambrose contacted the Department  
23          of Public Works and they were the ones who went out as the  
24          maintainers of the property to fix the problem. So, it  
25          continues to be out understanding that it is in the province of  
26          Public Works.

1                   Because it is in the public space, again we would  
2                   be going before the Public Space Committee. We will make an  
3                   application to the Public Space Committee to change the  
4                   appearance of that space to green space again, and concerns  
5                   about the ownership and the use of the space would be addressed  
6                   at that time.

7                   COMMISSIONER PARSONS: Nobody's declared this  
8                   improvement historic yet.

9                   UNKNOWN PARTICIPANT: Not yet.

10                  COMMISSIONER PARSONS: Mr. Maloney doesn't have to  
11                  worry about that.

12                  UNKNOWN PARTICIPANT: I'm afraid you may have to  
13                  worry about it.

14                  COMMISSIONER PARSONS: There is increasing  
15                  interest, as you point out, in that era in the City that Lady  
16                  Bird pioneered and championed, and resulted in so many  
17                  improvements to the City. So, thank you for bringing that to  
18                  our attention.

19                  MS. BADER: Thank you.

20                  CHAIRPERSON MITTEN: And just so that you  
21                  understood what Mr. Millman was saying, is that there will be  
22                  another opportunity when the applicant goes before the Public  
23                  Space Committee, that you can bring this to their attention as  
24                  well.

25                  MS. BADER: When will that be?

26                  CHAIRPERSON MITTEN: Do you happen to know when

1       you're going before the Public Space Committee?

2                   MR. MILLMAN: No, it hasn't been set yet.

3                   CHAIRPERSON MITTEN: All right. There will be  
4       notice of that given to the ANC or something? Just keep in  
5       touch with the ANC and they can give you notice of that.

6                   MR. FEOLA: We certainly can make it known to Ms.  
7       Bader when that is as well. We can make that direct notice.

8                   CHAIRPERSON MITTEN: Thank you.

9                   MS. BADER: Thank you very much.

10                  CHAIRPERSON MITTEN: Thank you for coming down  
11       this evening. Any other persons in opposition? I guess we'll  
12       have closing remarks by the applicant, since I don't think you  
13       have anything really to rebut.

14                  MR. FEOLA: Thank you, Madam Chair. Phil Feola  
15       for the applicant. Now, this has been a project, as I think  
16       you've heard and with a lot of support.

17                  It's been a pleasure to be part of and be part of  
18       the team, and we think it is a project that is a win-win for  
19       the community, for the City, for the developer, and I think for  
20       the Commission because I think it will raise the bar a little  
21       bit on some of the residential developments that this  
22       Commission has seen, some of which I've brought before you,  
23       some successfully and some not.

24                  So we would urge your approval and I obviously  
25       would like it to happen as quickly as possible. As Mr. Millman  
26       said, this property is still owned by the D. C. Government.

1                   We have to get through the zoning contingencies  
2                   and finish the legal work to close, but I think as soon as they  
3                   own the property, they'd like to start construction.

4                   So, with that, I'd like to thank you for your  
5                   time and close.

6                   CHAIRPERSON MITTEN: Thank you. And, I think  
7                   you're right. I think this does raise the bar and sets a  
8                   wonderful model for the way in-fill development can be done in  
9                   the City. It sets a wonderful model for the way that historic  
10                  school buildings can be restored, and the adjacent land can be  
11                  used to help support the cost of restoration.

12                  So, I really commend the whole team, and will  
13                  look forward to getting more projects like this brought to us  
14                  Mr. Feola.

15                  I think there are a few additional submissions  
16                  that we need to get, and not to draw this out unduly long, but  
17                  just to make sure the record is complete.

18                  We had asked for, just to review what we've asked  
19                  for. Mr. Hood had asked for some information related to the  
20                  Capitol Square and Harrison Square projects and the applicant's  
21                  efforts to meet their First Source and Local Small and  
22                  Disadvantaged Business recruitment obligations there.

23                  Mention was made that you're preparing a new  
24                  courtyard perspective for HPRB. If we could get that submitted  
25                  for the record, I think that would help.

26                  You were going to provide some information that



1 would help us sort out the design amenity from the matter-of-  
2 right obligations in the Historic District, and was there  
3 anything else Mr. Bastida?

4 MR. BASTIDA: Yes. Mr. Hood is still concerned  
5 with how the repair of the alleys between the public space and  
6 the private space will be taken care of, and perhaps the  
7 applicant can submit something related to that matter.

8 CHAIRPERSON MITTEN: Yes. Can you give us a date  
9 that would move this along expeditiously, but give them time to  
10 make a submission?

11 MR. BASTIDA: Right. The applicant must submit  
12 these by June 29<sup>th</sup> and serve it to all the parties. The parties  
13 will have until July 6<sup>th</sup> to respond, and the Commission will  
14 take this at its regularly scheduled meeting of July 16<sup>th</sup>, if  
15 you like.

16 MR. FEOLA: When?

17 MR. BASTIDA: On the 29<sup>th</sup>. All has to be  
18 submitted by the 29<sup>th</sup>. Well, July 6<sup>th</sup> if you want the extra  
19 week. But the request of the Commission would be on July 29<sup>th</sup>.

20 It would serve on all the parties. The parties have until the  
21 6<sup>th</sup> and you have to submit the Finding of Facts and Conclusions  
22 of Law by July 6<sup>th</sup>.

23 MR. FEOLA: Yes.

24 CHAIRPERSON MITTEN: Do we need submissions of  
25 building materials, samples? Do we normally get that?

26 MR. BASTIDA: You usually get them and we can

1 request that also.

2 CHAIRPERSON MITTEN: Is that something that's  
3 easily done?

4 MR. FEOLA: Yes.

5 CHAIRPERSON MITTEN: All right.

6 MR. BASTIDA: And could you, when you provide  
7 them, could you provide photographs of them, please?

8 Thank you.

9 CHAIRPERSON MITTEN: All right, is everything in  
10 order? Ladies and gentlemen, the other members of the  
11 Commission and I wish to thank you for your testimony and  
12 assistance at this hearing.

13 The record in this case is closed except for the  
14 specific information that has been requested, which must be  
15 filed no later than the close of business on June 29<sup>th</sup> in Suite  
16 210 of this building. Any party to the case may file a written  
17 response to any information or report filed after the close of  
18 the hearing. Such responses should be filed no later than July  
19 6<sup>th</sup>.

20 Parties in this case are invited to submit  
21 proposed findings of Fact and Conclusions of Law, again no  
22 later than July 6<sup>th</sup>. The Commission will make a decision in  
23 this case at one of its regular monthly meetings following the  
24 close of the record, and our goal would be to have that at our  
25 July 16<sup>th</sup> meeting, and any individual interested in following  
26 this case further, please contact staff.

1 I now declare this hearing closed.

2 (Whereupon, the above-entitled matter was  
3 concluded.)

4

5

6

7

8

9

10

11

12

13

14

15

16